



WEB COPY



W.P.No.4382 of 2018

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24.01.2024

CORAM:

THE HON'BLE MR.JUSTICE BATTU DEVANAND

W.P.No.4382 of 2018

R.Bhagavathi Perumal

...Petitioner

Vs.

1.Government of Tamil Nadu,
Represented by the Secretary,
Higher Education (G2 Department),
Secretariat, Chennai – 9.

2.Principal Accountant General,
Office of the Principal Accountant General,
(Accounts & Entitlements) Tamil Nadu,
381, Anna Salai, Chennai – 600 010.

3.The Director of Collegiate Education,
College Road, Chennai – 6.

4.The Joint Director of Collegiate Education,
Tirunelveli Region, Tirunelveli – 627 008.

5.Arignar Anna College,
Represented by its Secretary,
Aralvaymoli – 629 301.

... Respondents

PRAYER:-Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, to call for the records

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pertaining to the proceedings in PEN.25/1.Pt. No.6657/2017-18/5396 dated 05.09.2017 issued by the 2nd respondent quash the same and direct the 5th respondent to resubmit the returned revised pension proposal of the petitioner to enable the respondents 1 and 2 to disburse the revised pension and all attendant terminal benefits.

For Petitioner : Mr.R.Subramanian

For Respondents : Mrs.C.Sangamithirai
Special Government Pleader

ORDER

This Writ Petition has been filed seeking to quash the proceedings in PEN.25/1.Pt. No.6657/2017-18/5396 dated 05.09.2017 issued by the 2nd respondent and consequently, direct the 5th respondent to resubmit the returned revised pension proposal of the petitioner to enable the respondents 1 and 2 to disburse the revised pension and all attendant terminal benefits.

2. The learned counsel for the petitioner submits that the issue involved in this Writ Petition is already decided by this Court by order dated 08.12.2020 in W.P.(MD).Nos.16370 of 2014 and batch and placed a copy of the order before this Court.



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3. On perusal of the same, it appears that in an identical issue placed before this Court in several Writ Petitions, after hearing the matters in detail, this Court dismissed the said Writ Petition by its order stated supra.

4. In our view, the said order is squarely applicable in the present case also. In light of the order of this Court stated supra, this Writ Petition is dismissed following the same order.

5. Accordingly, this Writ Petition is dismissed. However, it is made clear that if the petitioner has already retired from service and is a pensioner, then recovery cannot be imposed from their pension or pensionary benefits.

6. There shall be no order as to costs.

24.01.2024

gba
Index : Yes/No
Speaking order : Yes/No



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- 1.State of Tamil Nadu,
Represented by its Secretary,
Finance (Pension) Department,
Fort St.George,
Chennai – 600 009.
- 2.The Treasury Officer,
District Treasury Office,
Uthagamandalam,
Nilgiri District.
- 3.The Sub-Treasury Officer,
Connoor.



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BATTU DEVANAND, J.

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