



W.P. No. 5487 of 2018

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.10.2024

CORAM

THE HONOURABLE MR.JUSTICE BATTU DEVANAND

W.P. No. 5487 of 2018

C. Rangarajan

... Petitioner

Vs.

The Government of Tamilnadu,
Rep., by The Registrar,
Anna University,
Sardar Patel Road,
Guindy, Chennai – 600 025.

... Respondent

Writ petition is filed under Article 226 of the Constitution of India for issuance of a Writ of Certiorarified Mandamus, to call for records in Memo No.41503/PR.43/2017 and dated 17.08.2017 on the file of the respondent and quash the same as illegal and further direct the respondent to pay the pension taking into account the Resolution No.101.8 passed by the Syndicate dated 07.12.2009.

For Petitioner : Mr. K. Abirame,
for Mr. V. Srimathi

For Respondent : Ms. R. Rengamitha,
for Mr. V. Bharanidharan



ORDER

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Heard the learned counsel for the petitioner and the learned Standing Counsel for the respondent.

2. The issue involved in this writ petition is, with regard to revising the pensionary benefits to the petitioner. He made several representations to the respondent requesting them his pensionary benefits be revised, in accordance with the notification. He also brought to the notice of the respondent that, one Ammayappa Pillai is similarly placed employee was already extended the revised benefits. After several representations, the respondent issued Memo No. 41503/PR. 43/2017 dated 17.08.2017 rejecting the request of the petitioner. Aggrieved by the same, the present writ petition is filed.

3. On behalf of the respondent a counter affidavit has been filed wherein, it is stated that, the petitioner is not entitled for the claim made by him.

4. Having considered the submissions of the respective counsel and on perusal of the order impugned in this writ petition, the memo dated 17.08.2017 issued by the respondent, this Court is of the considered opinion that the said order is passed without considering all aspects in detail, as requested by the petitioner. On



examination of the impugned order, it is clear that, while informing the petitioner that his request is not feasible for compliance, no reasons are stated in the said order. It is settled law, any order passed without assigning reasons, is untenable. Only on this ground, this Court is inclined to set aside the order impugned in this writ petition.

5. In view of the same, this Court intends to dispose of this writ petition without going into the merits of the case, with a direction to the respondent to pass orders afresh considering the request of the petitioner for revision of his pensionary benefits, after taking into consideration of the letter dated 19.05.2003 and 26.05.2004 of the Head of Department and Dean of the respondent University, within a stipulated period.

6. Accordingly, this Writ Petition is disposed of with the following direction: -

i) The Memo No. 41503/PR. 43/2017 dated 17.08.2017 issued by the respondent is hereby set aside.

ii) The respondent shall pass orders afresh considering the request of the petitioner for revision of pensionary benefits in taking into consideration the letter dated 19.05.2003 and 26.05.2004 of Head of Department and Dean of the respondent University.

iii) The respondent shall pass fresh orders, within a period of



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four weeks from the date of receipt of copy of this order.

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7. There shall be no order as to costs.

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Index :Yes/No

Neutral Citation :Yes/No

AT

To

The Registrar,

The Government of Tamilnadu,

Anna University,

Sardar Patel Road,

Guindy, Chennai – 600 025.



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BATTU DEVANAND, J.

AT

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