



WEB COPY



W.P.No.10878 of 2018

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27.02.2024

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THE HON'BLE **MR.JUSTICE BATTU DEVANAND**

W.P.No.10878 of 2018

and

WMP.No.12820 of 2018

R.Subramani

...Petitioner

Vs.

1. The Chairman,
Chennai Port Trust,
Rajaji Salai,
Chennai – 600 001.

2. The Financial Advisor & Chief Accounts Officer,
Chennai Port Trust,
Rajaji Salai,
Chennai – 600 001.

...Respondents

Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorari calling for the records relating to the Pension recovery letters to the petitioner in Sr.AO(Pension)/ALC/2017/F dated 06.01.2018 on the file of the 2nd respondent and quash the same.

For Petitioner : Mr.S.Doraisamy

For Respondents : Mr.Niranjana Rajagopalan for R1 & R2



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ORDER

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2. During the course of hearing, the learned counsel for the petitioner submits that in the light of the averments made in the counter affidavit filed by the respondents wherein it is stated that the pensioners were given options and the method they choose is adopted by the respondent. For the excess amount of gratuity that is already paid is adjusted with the pension payment to bring parity with all those who have been under central government definition of pay. There is no recovery or repayment, in that sense carried out, but only an adjustment of excess gratuity under the old scheme.

3. Further, the pensioners stand benefitted and it will be operated only with their consent. It is also further averred that the order impugned is in favour of the petitioner and the central government of pay would be more beneficial to the petitioner. It is further averred that the order impugned is in



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favour of the petitioner and the central government definition of pay would be more beneficial to the petitioner.

4. The learned counsel for the petitioner sought permission of this Court to withdraw this writ petition. Placing the stand of the respondents made in their counter affidavit on record, permission is granted to withdraw this writ petition.

5. Accordingly, this writ petition is dismissed as withdrawn. No costs. Consequently, connected miscellaneous petition is closed.

27.02.2024

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Index : Yes/No
NCC : Yes/No
Speaking order : Yes/No



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BATTU DEVANAND, J.

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To

1. The Chairman,
Chennai Port Trust,
Rajaji Salai,
Chennai – 600 001.
2. The Financial Advisor & Chief Accounts Officer,
Chennai Port Trust,
Rajaji Salai,
Chennai – 600 001.

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