



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19.03.2024

CORAM:

THE HONOURABLE MS.JUSTICE R.N.MANJULA

W.P.No.7918 of 2021
and W.M.P.No.8459 of 2021

S.Ramachandran,
Office Assistant (Retired)
No.13, Bharathiyar Nagar,
Arcot Salai, Thiruvettipuram Post,
Cheyyar, Tiruvannamalai District. ... Petitioner

versus

1.The Tahsildhar,
Cheyyar Taluk,
Tiruvannamalai District.

2.The Principal Accountant General (A&E),
Tamil Nadu Circle,
361, Anna Salai,
Teynampet, Chennai - 600 018. ... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus, directing the first respondent herein to issue no objection certificate to the petitioner and direct the second respondent to release the monthly pension and commuted value of pension to petitioner.

For Petitioner : Mr.R.S.Anandan



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W.P.No.7918 of 2016
and W.M.P.No.8459 of 2016



For Respondent No.1 : Mr.T.Chezhiyan
Additional Government Pleader
For Respondent No.2 : Mrs.Hemamuralikrishnan

ORDER

The petitioner has filed this petition seeking a writ of mandamus, directing the first respondent to issue No Objection Certificate to the petitioner and to direct the second respondent to release his pension.

2. Heard Mr.R.S.Anandan, learned counsel for the petitioner and Mr.T.Chezhiyan, learned Additional Government Pleader for the 1st respondent and Mrs.Hemamuralikrishnan, learned counsel for the 2nd respondent and perused the materials available on record.

3. The petitioner has joined the service as Thalayari on casual basis in the year 1974 and has subsequently appointed on permanent basis on 10.02.1980. Later, he was redesignated as Village Kavalari and then as Village Assistant. The Village Assistant post has been regularised w.e.f. 01.06.1995. The petitioner was conferred with Selection Grade w.e.f. 01.06.2005 in the cadre of Village Assistant. On 21.09.2016, the petitioner



was promoted to the post of Office Assistant and after reaching the age of superannuation, he retired from service on 31.05.2017. So the petitioner is entitled to get his past services also to be counted for the purpose of pension. However, the petitioner's retiral benefits are not settled in view of fact that No Objection Certificate was not granted by the Society.

4. Mr.T.Chezhiyan, learned Additional Government Pleader for the 1st respondent submitted that the petitioner obtained loan from the Society and that was repaid by him and the instalments have been deducted from his salary. But it is seen from the records that the respondents have not submitted any accounts to show that the petitioner has repaid the loan.

5. Mr.R.S.Anandan, learned counsel for the petitioner submitted that the petitioner has also applied for a copy of the account statements but that was also not furnished to him.

6. Hence, the respondents shall co-ordinate with the Society and trace the records with regard to the deductions made from the salary of the petitioner towards the repayment of the loan availed by him in the Society



and issue No Objection Certificate, if it is found that the petitioner had repaid the loan in entirety and pass orders accordingly within a period of four (4) weeks from the date of receipt of a copy of this order. If the Society does not have any records, the respondents have to verify the deductions from their own records and pass appropriate orders.

7. With the above observation, this Writ Petition is **disposed**. No costs. Consequently, connected Miscellaneous Petition is closed.

19.03.2024

Speaking order / Non-speaking order

Index : Yes / No

Neutral Citation : Yes / No

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To
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- 1.The Tahsildhar,
Cheyyar Taluk,
Tiruvannamalai District.
- 2.The Principal Accountant General (A&E),
Tamil Nadu Circle,
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Teynampet, Chennai - 600 018.



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R.N.MANJULA, J.

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