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W.P.No.11548 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19.12.2024

CORAM:

THE HONOURABLE **MRS. JUSTICE V.BHAVANI SUBBAROYAN**

W.P.No.11548 of 2024 &
W.M.P.Nos.12644 and 12647 of 2024

S.Ravichandran (Rtd Watchman)

... Petitioner

Versus

1. The Secretary to Government,
Backward Class, Most Backward Class &
Minorities Welfare Department,
Fort St. George, Chennai – 600 009
2. The Principal Accountant General
Office of the Accountant General (A&E), Tamilnadu
No.361, Teynampet, Chennai – 600 018
3. The Commissioner / Director,
Directorate of Backward Classes Welfare,
Ezhilagam Annexure Building II Floor,
Chepauk, Chennai – 600 005
4. The District Collector,
Thiruvallur District
5. The District Backward Class & Minorities
Welfare Officer,
Thiruvallur District

...Respondents

Prayer : Writ Petition filed under Article 226 of Constitution of India for issuance of a Writ of Certiorarified Mandamus calling for the



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records of the 5th respondent in Na.Ka.No.BW1-14893-2022 dated 10.02.2023 quash the same and accordingly direct the 5th respondent to submit the correct pension proposal to the 2nd respondent and consequently direct the 2nd respondent to disburse the pensionary benefits and other private affairs as per the Tamil Nadu Pension Rules, 1978 within a time frame.

For Petitioner : M/s.A.Pramila

For Respondents : Mr.Stalin Abhimanyu
Standing Counsel

ORDER

This petition has been filed for issuance of a Writ of Certiorarified Mandamus calling for the records of the 5th respondent in Na.Ka.No.BW1-14893-2022 dated 10.02.2023 quash the same and accordingly direct the 5th respondent to submit the correct pension proposal to the 2nd respondent and consequently direct the 2nd respondent to disburse the pensionary benefits and other private affairs as per the Tamil Nadu Pension Rules, 1978 within a time frame.

2. Heard both sides and perused the documents placed on record.



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3. The case of the petitioner is that the petitioner was appointed in the post of Cook in the 5th respondent office on 02.07.1984 and the petitioner's service was regularised by the 5th respondent and the petitioner was permitted to retire from the 5th respondent office on 31.05.2022. The petitioner submitted a representation to the 5th respondent on 01.06.2022 & 13.06.2022 seeking to disburse the provident fund, gratuity and private affairs. Further, a reply was received from the 5th respondent on 16.06.2022 stating that there is no service verification record for the following periods 01.04.1997 to 30.06.2004, 01.07.2014 – 31.07.2019 and 01.08.2019 to 31.05.2022, but till date neither the respondents have granted the pension and other monetary benefits nor they have rejected the claim made by the petitioner, but there is no response till date. The 5th respondent does not even scrutinize the entire service records of the petitioner as on 10.02.2023, however, passed the impugned order in a mechanical manner, hence this Writ Petition.

4. The learned Standing Counsel appearing for the respondents contends that representation of the petitioner dated 18.03.2023 and



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28.08.2023 will be considered within a time frame to be fixed by this Court.

5. Considering the facts and circumstances of the case without expressing any opinion on the merits of the matter, this Court hereby directs the concerned respondents to pass appropriate orders on the representation of the petitioner dated 18.03.2023 and 28.08.2023 within a period of eight weeks from the date of receipt of a copy of this order.

In view of the above, the Writ Petition is disposed of. Consequently, connected miscellaneous petitions are closed. No costs.

19.12.2024

Index : Yes/No

Internet: Yes / No

Speaking order : Yes/No

To

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V.BHAVANI SUBBAROYAN, J.

ssd

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