2024:MHC:2986

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.07.2024

CORAM

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

AND

THE HONOURABLE MR.JUSTICE C.KUMARAPPAN

W.P.No.16857 of 2024
and
W.M.P.Nos.18539 & 15841 of 2024

S.Manikandan ... Petitioner

Vs.

1.The Principal Secretary to Government of Tamil Nadu,
Finance (Pay Cell-III) Department,
Secretariat, Fort St. George,
Chennai – 600 009.

2.The Commissioner of Treasuries and Accounts,
3rd Floor, Perasiriyar K.Anbalazhagan Malligai,
No.571, Anna Salai, Nandanam,
Chennai – 600 035.

3.The Senior Accounts Officer (Pension – 2 Section)
O/o. The Accountant General (A&E),
New No.361, Anna Salai, Chennai – 600 018.

4.The Registrar General,
Madras High Court,
Chennai – 600 104.

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5.The Pay and Accounts Officer,
Pay and Accounts Office,
High Court,
Chennai – 600 104. ... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Certiorarified Mandamus, calling for the records pertaining to the impugned orders passed by the second respondent in Rc.No.607/2023/A1 dated 30.04.2024 and the consequential order in ROC No.16556-A/2024/B3 dated 30.04.2024 passed by the fourth respondent and quash the same and consequently direct the respondents to disburse all the retirement benefits and monthly pension due to be paid to the petitioner as fixed by third respondent vide PO2/10229467/4/R0229467 dated 14.03.2024, along with interest at 12% per annum from the date of the petitioner's retirement till the date of its disbursement.

For Petitioner	: Mr.S.Ilamvaludhi For Ms.N.Fidelia
For R1	: Mr.T.Chezhiyan Additional Government Pleader
For R3	: Mrs.Hema Murali Krishnan Standing Counsel
For R4	: Mr.M.T.Arunan

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O R D E R

[Order of the Court was made by **S.M.SUBRAMANIAM, J.**]

The petitioner served as Chief Accounts Officer in Madras High Court on deputation. He was appointed and continued in Government Services, more specifically, in the Department of Treasuries and Accounts. The petitioner is not a High Court employee nor his services are governed under the Judicial Service Rules.

2. Since the services of the petitioner are governed under the Tamil Nadu State and Subordinate Services Rules and the High Court has implemented the orders of the Government and Commissioner of Treasuries and Accounts, the petitioner has to challenge the original orders passed by the Government and the order of the Commissioner of Treasuries and Accounts in the manner known to law.

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3. Thus, by granting liberty to the petitioner to challenge the said order, the Writ Petition stands disposed of. No costs. Consequently, connected Miscellaneous Petitions are closed.

[S.M.S., J.] [C.K., J.]
23.07.2024

Jeni
Index : Yes
Neutral Citation : Yes / No
Speaking order / Non-speaking order

To

1.The Principal Secretary to Government of Tamil Nadu,
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S.M.SUBRAMANIAM, J.
and
C.KUMARAPPAN, J.

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