



W.P.No.26262 of 2021

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.02.2024

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THE HONOURABLE Ms.JUSTICE R.N.MANJULA

W.P. No.26262 of 2021

V.Selvan

... Petitioner

/vs/

1. The State of Tamil Nadu,
Rep. by its Principal Secretary to Government,
Revenue and Disaster Management Department,
Secretariat, Fort St. George,
Chennai – 600 009.
2. The Special Commissioner / Commissioner of
Revenue Administration,
Ezhilagam, Chepauk,
Chennai – 600 005.
3. The Collector,
Krishnagiri District,
Krishnagiri.
4. The Revenue Divisional Officer,
Krishnagiri,
Krishnagiri District.
5. Tahsildar,
Krishnagiri Taluk,
Krishnagiri District.



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6. The Principal Accountant General (A&E) Tamil Nadu,
O/o. The Principal Accountant General,
361, Anna Salai, Teynampet,
Chennai – 600 018.

... Respondents

Writ Petition is filed under Article 226 of the Constitution of India to issue a writ of mandamus to direct the respondents to settle the service benefits including payment of annual increment and retirement benefits, regular pension in favour of the petitioner in the post of Village Administrative Officer as on date of retirement on 28.02.2012, with all consequential and other attendant benefits including payment of interest for the delay in settlement of service benefits and retirement benefits, in consideration of representation submitted by the petitioner, within a time frame.

For Petitioners ... Mr.S.Nedunchezhiyan

For Respondents ... Mr.S.J.Mohammed Sathik
Govt. Advocate for R1 to R5

Ms.T.S.Selvarani for R6

ORDER

The petitioner who retired from service as early as on 28.02.2012 as 'Village Administrative Officer' has filed this writ petition seeking writ of mandamus directing the respondents to settle his retiral benefits including



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payment of interest for the delay in settlement of service benefits and retirement benefits, in consideration of his representation submitted by the petitioner.

2. Mr.S.Nedunchezhiyan, the learned counsel for the petitioner, submitted that when the petitioner approached the respondents to settle his retiral benefits, he was informed by the respondents that his service records were missing and only after its reconstruction, further orders can be passed.

3. Mr.S.J.Mohammed Sathik, the learned Government Advocate, has stated that due to non-availability of service details the retirement benefits were not paid to the petitioner and action is being taken to make entries in the Service Register of the petitioner; however, now the service records of the petitioner are reconstructed and his retiral benefits will be granted to the him shortly.

4. It is atrocious to say that steps are being taken only now in respect



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of the employee who retired from service as early as in the year 2012 without settling his retirement benefits not on account of any of the default on his part. Since it is submitted that the Service Records of the petitioner has been reconstructed, I feel the respondents should be directed to pass appropriate orders for disbursing the terminal benefits of the petitioner by considering his representation.

5. Accordingly, this Writ Petition is allowed and the respondents are directed to consider the representation of the petitioner dated 02.11.2016 and pass orders by settling the service benefits including payment of annual increment, retirement benefits and regular pension in favour of the petitioner with all consequential and other attendant benefits with interest at the rate of 10% per annum, within a period of four weeks from the date of receipt of a copy of this order. No costs.

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

WEB COPY

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