



WP.(MD).No.2078 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated : 22.02.2024

CORAM:

THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI

W.P.(MD)No.2078 of 2024

Balasubramanian

... Petitioner

Vs.

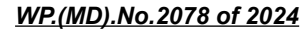
1.The Secretary to Government,
Revenue, Administration and Disaster Management,
St.George Fort,
Chennai.

2.The Commissioner,
Revenue, Administration and Disaster Management,
Ezhlilagam, Chepak,
Chennai.

3.The District Collector,
Sivagangai District,
Sivagangai.

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the third respondent to issue relieving order to the petitioner with effect from the date of superannuation dated 30.11.2011 and consequently direct the respondents to provide retirement benefits and other monetary benefits to the petitioner.



: Mr.N.Jeyaram Sidharth
: Mr.S.Shaji Bino
Special Government Pleader

By consent of both parties, this Writ Petition is taken up for final disposal at the stage of admission itself.

2.This Writ Petition has been filed for issuance of a Writ of Mandamus, seeking to direct the third respondent to issue relieving order to the petitioner with effect from the date of superannuation dated 30.11.2011 and consequently direct the respondents to provide retirement benefits and other monetary benefits to the petitioner.

3.The brief facts which are necessary for the disposal of this Writ Petition is as follows:-

The petitioner was appointed in the post of Junior Assistant in the third respondent office on 08.05.1982. Later he was promoted as Assistant in the year 1992. While in service, in the post of Assistant, he was suspended before two days of his retirement. Hence, he filed a Writ Petition in W.P.(MD)No.7891 of 2019 and this Court disposed of the same by directing the respondents to



WP.(MD).No.2078 of 2024

conclude the disciplinary proceedings within a period of four weeks. Pursuant to the same, the third respondent had completed two disciplinary proceedings against the petitioner and passed an order relieving the petitioner from charges levelled against him as “charges not proved”. Subsequently, the petitioner made a representation to the respondents to provide the order of retirement along with retirement benefits on 09.08.2021. However, the same was not considered. Hence, this Writ Petition came to be filed.

4. When the matter was taken up for hearing, the learned Special Government Pleader circulated the proceedings of the District Collector, Sivagangai dated 08.03.2022, addressed to the Chief Secretary of Revenue Department and Disaster Management informing that the delinquents were relieved without prior ratification of the vigilance commission.

5. Heard the learned counsel appearing for the petitioner, the learned Special Government Pleader appearing for the respondents and carefully perused the entire materials available on record.



WP.(MD).No.2078 of 2024

6.Recording the aforesaid submission, this Court hereby direct the first respondent to consider the representation of the petitioner subject to the ratification from the vigilance commission and pass appropriate orders in accordance with law within a period of twelve weeks from the date of receipt of copy of this order.

7.In view of the above, this Writ Petition stands disposed of.
There shall be no order as to costs.

22.02.2024

NCC : Yes / No

Index : Yes / No

Internet : Yes

Mrn

To

- 1.The Secretary to Government,
Revenue, Administration and Disaster Management,
St.George Fort,
Chennai.
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L.VICTORIA GOWRI, J.

Mrn

W.P.(MD)No.2078 of 2024

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