



W.P.(MD).No.12395 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 12.06.2024

CORAM

THE HONOURABLE MS.JUSTICE R.N.MANJULA

W.P.(MD).No.12395 of 2024

S.Velsamy

...Petitioner

Vs

1.The Additional Chief Secretary to Government,
Revenue and Disaster Management Department,
Secretariat,
Chennai – 600 009.

2.The Additional Chief Secretary / Commissioner of
Revenue Administration,
Ezhilagam,
Chepauk,
Chennai – 600 005.

3.The District Collector,
Thoothukudi District,
Thoothukudi.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying this Court to issue a Writ of Mandamus, directing the second respondent i.e., the Additional Chief Secretary/Commissioner of Revenue Administration, Chennai to forward the proposals received from the District Collector, Thoothukudi in his proceedings No.Na.Ka.K-1/216573/2023 dated 12.09.2023 and further particulars in



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proceedings No.Na.Ka.K-1/216573/2022 dated 18.03.2024 to the first respondent i.e., the Additional Chief Secretary to Government, Revenue and Disaster Management Department, Chennai regarding payment of interest within a specified time frame and the first respondent may be directed to pass appropriate orders on receipt of the proposals sent by the second respondent within a specified time frame that may be fixed by this Court.

For Petitioner : Mr.S.Visvalingam

For Respondents : Mr.M.Lingadurai
Special Government Pleader

ORDER

Heard Mr.S.Visvalingam, learned counsel for the petitioner and Mr.M.Lingadurai, learned Special Government Pleader for the respondents.

2. By consent of both the parties, this writ petition is taken up for final disposal.

3. This Writ Petition has been filed for issuance of Writ of Mandamus, seeking direction against the the second respondent to forward the proposals received from the third respondent and further



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particulars to the first respondent, regarding payment of interest within a specified time frame and to direct the first respondent to pass appropriate orders on receipt of the proposals.

4. Mr.S.Visvalingam, learned counsel for the petitioner submitted that at the time of retirement, the petitioner was serving as Deputy Tahsildar in the Taluk Office, Ettyapuram. As per the proceedings of the third respondent, dated 31.07.2013, on the verge of the petitioner's retirement, he was placed under suspension and also not permitted to retire from service, in view of the criminal case in C.C.No.58 of 2011 before the Judicial Magistrate No.II Court was pending. The said criminal case was ended in acquittal. The grievance of the petitioner is that his date of superannuation falls on 31.07.2013, but the retirement benefits have been settled only on 16.08.2019 i.e., after a delay of 6 years. In this regard, the petitioner made a representation dated 19.09.2022 to the respondents seeking for sanction of interest for belated payment of DCRG and pension and commutation of pension as early as possible

5. Mr.S.Visvalingam, learned counsel for the petitioner submitted



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that on receipt of the representation, the third respondent sent a proposal to the second respondent regarding payment of interest and further particulars. However, the second respondent has not forwarded the same to the first respondent. Hence, the petitioner approached this Court by way of filing this Writ Petition.

6. Considering the facts and circumstances of the case, this Court directs the second respondent to forward the proposal dated 12.09.2023 and 18.03.2024 made by the District Collector to the first respondent and on receipt of the proposal, the first respondent is directed to pass orders on merits and in accordance with law. The said exercise shall be completed within a period of four weeks from the date of receipt of a copy of this order.

7. With the above direction, the Writ Petition stands **disposed of**.

No costs.

12.06.2024

NCC:yes/no

Index:yes/no

Internet:yes/no

Nsr



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R.N.MANJULA, J.

Nsr

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