



W.P.(MD).No.17448 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 29.07.2024

CORAM

THE HONOURABLE MS.JUSTICE R.N.MANJULA

W.P.(MD).No.17448 of 2024
and WMP(MD) No.14982 of 2024

P.Vinobha

... Petitioner

Vs

1. The Additional Chief Secretary,
Rural Development and Panchayat Raj Department,
Fort St.George, Chennai 600 009.

2. The Director of Rural Development and Panchayat Raj,
Office of the Director of Rural Development and Panchayat Raj,
Panagal Building, Chennai 600 015.

3. The District Collector,
Theni 625 531.

4. The Commissioner / Block Dev,
Elopment Officer, Theni Panchayat Union,
Theni District 625 531.

5. The Assistant Director,
Local Fund Audit,
Theni District.

... Respondents



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Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus directing the respondents herein to disburse the terminal benefits, all monetary service benefits and monthly pension as per the proceedings of the 4th respondent herein in Na.Ka.No. 3225/2022/A2, dated 30.08.2022.

For Petitioner : Mr.K.Appadurai

For Respondents : Mr.S.Shanmugavel (R1 to R3 & R5)
Additional Government Pleader

: Mr.R.Surya Anand (R4)

ORDER

Heard Mr.K.Appadurai, learned counsel appearing for the petitioner, Mr.S.Shanmugavel, learned Additional Government Pleader appearing for R1 to R3 & R5 and Mr.R.Surya Anand, learned counsel appearing for R4.

2. This writ petition has been filed for a direction to the respondents to disburse the terminal benefits, all monetary service benefits and monthly pension as per the proceedings of the 4th respondent in Na.Ka.No. 3225/2022/A2, dated 30.08.2022.



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3.By consent of both the parties, this writ petition is taken up for final disposal at the admission stage itself.

4.The petitioner who has been allowed to retire on his attaining the age of superannuation on 31.08.2022, subjected to certain audit objection, despite, an order has been passed on 30.08.2022. So far no further steps have been taken.

5.In fact, the petitioner had earlier filed a writ petition in W.P(MD) No.12148 of 2022 and in pursuant to above direction, the petitioner was allowed to retire, however, on condition of pending audit. If the fifth respondent thought it fit to raise any audit objection, the fourth respondent has to give explanation to those audit objections and see that either to remove or pass orders accordingly. Finally, instead of taking any action, the petitioner who was allowed to retire, has been made to wait from the year 2022 without getting any of his terminal benefits and his representation in this regard was also not considered so far.



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6. In view of the same, the respondents are directed to consider the case of the petitioner in light of the above observations and pass appropriate orders within a period of eight weeks from the date of receipt of copy of this order. No costs. Consequently, connected Miscellaneous Petition is closed.

29.07.2024

NCC : Yes / No
Index : Yes / No
Internet : Yes
PNM

To

1. The Additional Chief Secretary,
Rural Development and Panchayat Raj Department,
Fort St. George, Chennai 600 009.

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R.N.MANJULA, J.

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**ORDER IN
W.P.(MD).No.17448 of 2024
and WMP(MD) No.14982 of 2024**

29.07.2024