



W.P.(MD).No.17396 of 2024

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**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

**DATED : 29.07.2024**

**CORAM**

**THE HONOURABLE MS.JUSTICE R.N.MANJULA**

**W.P.(MD).No.17396 of 2024**

P.Navaneethakrishnan

... Petitioner

Vs

1. The Director of Municipal Administration,  
No.75, Santhome High Road,  
Raja Annamalaipuram,  
Chennai - 600 028.

2. The Assistant Director of Local Fund Audit,  
Sivagangai Post, Sivagangai District.

3. The Commissioner of Municipality,  
Sivagangai Municipality,  
Sivagangai Post,  
Sivagangai District.

... Respondents

**Prayer** : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus to direct the 1<sup>st</sup> respondent to issue a revised order permitting the petitioner to retire from service on superannuation on 31.05.2024 in pursuance to the discharge of the petitioner by discharging him from the joint liability by the respondents 2 and 3 in respect of pending Audit Paras. No.12 and 26/2009-2010, 28 and 29/2017-2018, 5 and



**W.P.(MD).No.17396 of 2024**

17/2018-2019, 58 /2020-2021, 91, 92 and 94/2021-2022 on 11.07.2024 for disbursement of pensionary benefits to the petitioner by considering his representation dated 15.07.2024, within the period that may be stipulated by this Court.

For Petitioner : Mr.K.Ponnaiah

For Respondents : Mr.S.Shanmugavel  
Additional Government Pleader

### **ORDER**

Heard Mr.K.Ponnaiah, learned counsel appearing for the petitioner and Mr.S.Shanmugavel, learned Additional Government Pleader appearing for the respondents.

2. This writ petition has been filed for a direction to the 1<sup>st</sup> respondent to issue a revised order permitting the petitioner to retire from service on superannuation on 31.05.2024 in pursuance to the discharge of the petitioner by discharging him from the joint liability by the respondents 2 and 3 in respect of pending Audit Paras. No.12 and 26/2009-2010, 28 and 29/2017-2018, 5 and 17/2018-2019, 58 /2020-2021, 91, 92 and 94/2021-2022 on 11.07.2024 for disbursement of pensionary benefits to the petitioner by



W.P.(MD).No.17396 of 2024

considering his representation dated 15.07.2024, within the period that may be stipulated by this Court.

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 was working as a Superintendent has been allowed to retire on 31.05.2024 under the age of superannuation. He was permitted to retire, however without prejudice to the pending audit paras.

5.Now, the learned counsel for the petitioner submitted that the petitioner has been discharged from all the audit objection raised by the second respondent, in view of the explanation given by the third respondent, Now, the petitioner has filed this writ petition directing the respondents to disburse the pensionary benefits by considering his representation, dated 15.07.2024 and issue a revise order for permitting him to retire.

6.Since the petitioner has been allowed to retire on condition of then pending audit objection, he has filed this writ petition seeking for issuance



**W.P.(MD).No.17396 of 2024**

WEB COPY

of a revised order in view of the clearance given to the audit objection. Since the petitioner's representation has not been considered so far, the first respondent is directed to consider the representation of the petitioner, dated 15.07.2024 in light of the audit discharge and pass a revised order permitting the petitioner to retire from service without any condition, within a period of three weeks from the date of receipt of copy of this order. No costs.

**29.07.2024**

NCC : Yes / No

Index : Yes / No

Internet : Yes

**PNM**

To

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**W.P.(MD).No.17396 of 2024**

**R.N.MANJULA, J.**

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**ORDER IN**  
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