



W.P.(MD).No.20510 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 22.08.2024

CORAM:

THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR

W.P(MD)No.20510 of 2022

K.Ganesan
Retired Superintendent,
Health Services Department,
Pudukkottai,
No.59, Panayanpatti,
Thirumalairayachamuthiram Village,
Kaikurichi Post – 622 303,
Pudukkottai District.

... Petitioner

Vs.

1. The Accountant General
(Accounts & Entitlements)
Tamil Nadu,
Office of the Accountant General Entitlement,
No.36, Annasalai,
Chennai – 600 019.
2. The Deputy Director of Health Services,
Pudukkottai District,
Pudukkottai.
3. The Treasury Officer,
District Treasury Office,
Pudukkottai.



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4. The Secretary to Government,
Health and Family Welfare Department,
Fort St. George,
Chennai -9.

... Respondents

(4th respondent is *suo motu* impleaded
vide order of this Court dated 22.08.2024
in W.P(MD) No.20510 of 2022)

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 pay full monthly pension from 01.01.2016 onwards as per the 7th Pay Commission report along with arrears through 3rd respondent office thereon on the basis of his representation dated 27.06.2022 within the time stipulated by this Court.

For Petitioner	: Mr.B.Jameel Arasu
For R1	: Mrs.S.Mahalakshmi
For R2 to R4	: Mr.S.Shaji Bino Special Government Pleader

ORDER

The petitioner, who was working as a Superintendent in the office of Deputy Director of Health Services Department, Pudukkottai, had attained superannuation on 28.02.2015. However, the terminal benefits were not released to him, in view of the pendency of a Charge Memo.



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2. The learned Special Government Pleader appearing for the respondents 2 to 4 herein brought to the notice of this Court that enquiry has been completed on 11.02.2020 and the report has also been submitted. A second show cause notice has been issued to the writ petitioner, for which, he had submitted an explanation. Since the petitioner had attained superannuation, for passing of final orders in the disciplinary proceedings, the files are pending before the fourth respondent herein from July 2021 onwards.

3. At this juncture, the prayer of the writ petitioner for payment of full monthly pension from 01.01.2016, as per 7th Pay Commission along with arrears cannot be granted, in view of the pendency of the disciplinary proceedings. However, this Court directs the fourth respondent herein to pass final orders on or before **30.11.2024**.



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4. With the above said observations, this Writ Petition stands disposed of. There shall be no order as to costs.

22.08.2024

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NCC : Yes/No
Index : Yes / No
Internet : Yes / No
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To

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