



W.P.(MD).No.21277 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 19.09.2024

CORAM:

THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR

W.P(MD)No.21277 of 2024

M.Sappani
Firka Surveyor (Superannuation)
Old No.77, New No.8,
Kannan Street, Nanguneri Taluk,
Tirunelveli District.

... Petitioner

Vs.

1. The Accountant General,
Office of the Accountant General (A&E)
No.361, Anna Salai, Chennai – 18.
2. The Director,
District Survey and Land Department,
Tirunelveli District.
3. The Assistant Director,
District Survey and Land Department,
Tirunelveli District.
4. The Tahsildar,
Taluk Office,
Nanguneri Taluk,
Tirunelveli District.
5. The Sub Treasury Officer,
Nanguneri Taluk,
Tirunelveli District.

... Respondents



W.P.(MD).No.21277 of 2024

WEB COPY

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondents 2 and 5 to disburse to grant all monitory and service benefits and pass such further order within a time frame that may be fixed by this Court.

For Petitioner : Mr.Aayiram K.Selvakumar

For R 1 : Mr.S.Mahalakshmi
Standing Counsel

For R2 to R5 : Mr.S.S.Madhavan
Government Advocate

ORDER

The instant writ petition has been filed by a Firka Surveyor seeking a Mandamus for disbursement of his terminal benefits within a time frame fixed by this Court.

2. The petitioner was implicated in a criminal case and he was convicted by the trial Court. However, on appeal, this Court by an order dated 02.02.2022 in CrI.A(MD) No.361 of 2016 has acquitted the writ petitioner.



W.P.(MD).No.21277 of 2024

WEB COPY

3. Disciplinary proceedings were initiated as against the writ petitioner under Rule 17 (b) of the Tamil Nadu Civil Services (Discipline and Appeal) Rules. The enquiry culminated in imposition of punishment, by an order dated 07.03.2023, imposing a cut in pension at the rate of Rs.1000/- per month for a period of one year. The petitioner has not challenged the said order and the same has attained finality.

4. The petitioner has reached the age of superannuation even as early as on 30.11.2014. In view of the pendency of the criminal proceedings and the departmental proceedings, the terminal benefits were not released. Now that the criminal proceedings and the departmental proceedings have got concluded, it is the prayer of the writ petitioner, for disbursement of the terminal benefits.

5. The learned Government Advocate appearing for the respondents 2 to 5 has submitted that the post of Firka Surveyor has now been down graded as Field Surveyor and therefore, consequential alteration have to be made in the website, so that, the terminal benefits could be released to the writ petitioner and he seeks three months time for releasing the terminal benefits.



W.P.(MD).No.21277 of 2024

WEB COPY

6. Considering the above said facts, the respondents herein are directed to release the terminal benefits and the pensionary benefits within a period of twelve weeks from the date of receipt of a copy of this order.

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

19.09.2024

NCC : Yes/No
Index : Yes / No
Internet : Yes / No
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R.VIJAYAKUMAR,J.

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W.P(MD)No.21277 of 2024

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