



W.P.(MD)No.22365 of 2024

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 20.09.2024

CORAM :

THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR

W.P(MD)No.22365 of 2024

B.Mohammed Siraj

... Petitioner

Vs.

1.The Principal Secretary to Government,
Municipal Administration & Water Supply Department,
Secretariat,
Chennai

2.The Commissioner of Municipal Administration,
6th Floor, Ezhilagam,
Chepauk,
Chennai – 600 005

... Respondents

PRAYER : Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, to direct the respondents to forthwith permit the petitioner to retire from service on the date of superannuation on 31.08.2018 and release all the terminal benefits eligible to the petitioner from the date of retirement including surrender leave and other monetary benefits and arrears of pension from 01.09.2018 under Pension Rules with all benefits together with interest @ 18% p.a. within the stipulated period of time.



W.P.(MD)No.22365 of 2024

For Petitioner : Mr.RM.Arun Swaminathan
For Respondents : Mr.S.Shanmugavel
Additional Government Pleader

ORDER

The instant Writ Petition has been filed by a former Municipal Commissioner seeking mandamus to direct the 1st respondent to permit him to retire from service with effect from 31.08.2018 and to release all the terminal benefits.

2. In view of pendency of certain charges, the petitioner was not permitted to retire, and he was retained in service by way of G.O.(2D)No.70 Municipal Administration and Water Supply (Me.4) Department dated 31.08.2018. However, by way of G.O.(2P)No.72 Municipal Administration and Water Supply (பு.2) Department dated 21.08.2024, the petitioner has been exonerated from all the charges.

3. In view of exoneration from all the charges, the petitioner has addressed a representation on 30.08.2024 seeking permission to retire from service with effect from 31.08.2018 and for disbursement of the terminal benefits. Since that said requests have not been considered so far, the present writ petition has been filed before this Court.



W.P.(MD)No.22365 of 2024

WEB COPY

4. Considering the above said facts, the 1st respondent herein is directed to consider the petitioner's representation and pass orders within a period of twelve (12) weeks from the date of receipt of a copy of this order.

5. Accordingly, this Writ Petition stands disposed of. No costs.

20.09.2024

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

mkn

To

1.The Principal Secretary to Government,
Municipal Administration & Water Supply Department,
Secretariat,
Chennai

2.The Commissioner of Municipal Administration,
6th Floor, Ezhilagam,
Chepauk,
Chennai – 600 005



WEB COPY



W.P.(MD)No.22365 of 2024

R.VIJAYAKUMAR, J.

mkn

W.P(MD)No.22365 of 2024

20.09.2024