



**W.P.(MD).No.24498 of 2024**

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

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**DATED : 12.11.2024**

**CORAM:**

**THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR**

W.P(MD)No.24498 of 2024

and

W.M.P(MD) No.20841 of 2024

N.Murugiah

... Petitioner

Vs.

1. The State of Tamil Nadu,  
Represented by its Secretary to Government,  
Revenue Department,  
Fort. St.George, Secretariat,  
Chennai – 600 009.
2. The Commissioner of Revenue Administration,  
Chepauk, Chennai.
3. The District Collector,  
Tirunelveli District,  
Tirunelveli.
4. The District Collector,  
Tenkasi District,  
Tenkasi.
5. The Special Tahsildar  
(Social Security Scheme)  
Taluk Office,  
Sankarankovil,  
Tenkasi District.



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6. The Principal Accountant General (A & E)

361, Anna Salai,  
Teynampet,  
Chennai – 600 018.

... Respondents

**PRAYER:** Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondents to disburse all the retirement and monetary benefits of the petitioner in accordance with the proceedings of the third respondent in M.P/3326/2014 (அ) dated 30.04.2014 along with an accrued interest of 18% per annum, within the period that may be stipulated by this Court.

|                |                                                   |
|----------------|---------------------------------------------------|
| For Petitioner | : Mr.H.Mohammed Imran                             |
| For R1 to R5   | : Mr.D.Sasikumar<br>Additional Government Pleader |
| For R6         | : Mrs.Mahalakshmi<br>Standing Counsel             |

### **ORDER**

The present Writ Petition has been filed by a retired Tahsildar seeking a Mandamus as against the respondents to disburse all the retirement and monetary benefits of the writ petitioner along with interest.



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2. The petitioner herein was permitted to retire from service by way of the proceedings of the third respondent dated 30.04.2014. A perusal of the said order reveals that they have not reserved any right to initiate any other proceedings as against the writ petitioner. However, a charge memo was issued to the writ petitioner on 29.03.2016 which resulted in punishment order on 28.06.2020, wherein the petitioner was imposed with a punishment of postpone of one increment for a period of three months without cumulative effect. The petitioner has not chosen to challenge the charge memo or the punishment order. However, it is the grievance of the petitioner that once he is permitted to retire, the terminal benefits should have been released.

3. Per contra, the learned Additional Government Pleader appearing for the respondents 1 to 5 had contended that since the petitioner has retired, the third respondent should not have imposed a punishment of postponement of increment as if he is in service. The third respondent should have passed an order only for imposing punishment under the Pension Rules.

4. Considering the fact that the petitioner has been permitted to retire way back on 30.04.2014, the respondents do not have any reason whatsoever



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to retain the terminal benefits of the writ petitioner. After retirement, the respondents can initiate proceedings only for imposing punishment under the Pension Rules. Therefore, this Court is of the considered opinion that the respondents have unnecessarily retained the terminal benefits of the writ petitioner for more than 10 years.

5. Considering the above said facts, the respondents are directed to release the terminal benefits of the writ petitioner within a period of four weeks from the date of receipt of a copy of this order. In view of the delay caused by the respondent authorities, they shall pay interest at the rate of 6% from 01.05.2014 till the date of disbursement.

6. With the above said observations, this Writ Petition stands disposed of. There shall be no order as to costs. Consequently, the connected Miscellaneous Petition stands closed.

**12.11.2024**

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

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Revenue Department,  
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Chennai – 600 009.
2. The Commissioner of Revenue Administration,  
Chepauk, Chennai.
3. The District Collector,  
Tirunelveli District,  
Tirunelveli.
4. The District Collector,  
Tenkasi District,  
Tenkasi.
5. The Special Tahsildar  
(Social Security Scheme)  
Taluk Office,  
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6. The Principal Accountant General (A & E)  
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Chennai – 600 018.



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**R.VIJAYAKUMAR,J.**

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