



W.P.No.834 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED : 30.01.2025

CORAM

THE HON'BLE MRS.JUSTICE V.BHAVANI SUBBAROYAN

W.P.No.834 of 2025

Visalatchi

... Petitioner

Vs.

1. The Secretary to Government,
Government of Tamil Nadu,
Municipal Administration & Water Supply Department,
Fort St. George,
Chennai – 600 009.
2. The Director of Town Panchayats,
MRC Nagar,
Santhome Main Road,
Chennai – 600 028.
3. The District Collector,
Salem District,
Salem.
4. The Executive Officer,
P.N.Patti Town Panchayat,
Salem District.

... Respondents

Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents to implement the order in Na.Ka.No.144/2021 dated 29.08.2024 on the file of the 4th



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respondent to pay the arrears in revised salary from 01.01.2003 to 31.05.2014 to the petitioner.

For Petitioner : Mr.V.Elangovan

For Respondents : Mr.C.Selvaraj
Additional Government Pleader

ORDER

This Writ Petition has been filed seeking a direction to the respondents to implement the order passed by the 4th respondent in Na.Ka.No.144/2021 dated 29.08.2024 to pay the arrears in revised salary from 01.01.2003 to 31.05.2014 to the petitioner.

2. The case of the petitioner is that, her husband late Rajendran was appointed as Bill Collector in Veerakkal Pudur Panchayat and subsequently promoted as Junior Assistant and posted in the office of the 4th respondent panchayat. While he was in service, a case was registered against him in Cr.No.15/AC/2002 dated 01.07.2002 u/s 7 and 13(2) r/w 13(1)(d) of Prevention of Corruptions Act, for demanding Rs.4,000/- from one Gemeni for fixing lessor tax for building construction. He was arrested and remanded to judicial custody for more than two days. Hence,



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he was placed under suspension. Thereafter, the 3rd respondent vide proceedings in Na.Ka.No.2598/2002/P dated 10.12.2003 had revoked the suspension and promoted him as Junior Assistant by regularising the period of suspension. While so, after completion of investigation, charge sheet was filed by the investigation officer in Spl.C.C.No.17 of 2014 on the file of the Special Court for trial of cases under the Prevention of Corruption Act, Salem. After full fledged trial, the Learned Judge found him not guilty of the offence and hence, he was acquitted from the charges by the judgment dated 26.04.2016. Against which, the respondents filed Crl.A.No.863 of 2016 before this Court and the same was dismissed on 14.10.2022. While so, the petitioner's husband died on 06.04.2021 and till his death, he was paid only the subsistence allowance. The petitioner approached the respondents for regularising the period of suspension undergone by her husband with regularisation of salary with increment, provide retirement benefits and pension. The 3rd respondent vide proceedings in Na.Ka.No.1779/2023/Pe2 dated 30.07.2024 passed an order to the 4th respondent to regularise the period of suspension as duty period and pay the salary for the suspension period. Accordingly, the 4th respondent vide proceedings in Na.Ka.No.144/2021 dated 29.08.2024 revised the salary with annual increment and fixed the salary for the



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suspension period from 01.01.2003 to 31.05.2014. Though the said order came to be passed on 29.08.2024, till date the order has not been implemented by the 4th respondent. Hence, the present writ petition has been filed.

3. The Learned Additional Government Pleader appearing for the respondents has got instructions and submitted a letter dated 19.12.2024 issued by the 4th respondent, wherein it is seen that, the pension proposals have already been forwarded to the Principal Accountant General of Tamil Nadu and the same has been received by the Office on 04.01.2025 and it is under process.

4. In view of the above, there shall be a direction to the Accountant General of Tamil Nadu, to consider the pension proposals submitted by the 4th respondent and pass appropriate orders, on merits and in accordance with law, within a period of twelve weeks from the date of receipt of a copy of this order.

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



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Index : yes/no

Internet : yes/no

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V.BHAVANI SUBBAROYAN, J.

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