



WEB COPY

WP No. 18683 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09-06-2025

CORAM

THE HONOURABLE MR.JUSTICE C.KUMARAPPAN

WP No. 18683 of 2025

1. V. Manoharan,

Petitioner(s)

Vs

1. The Secretary To Government,
Municipal Administration And Water Supply Department,
Saint George Fort,
Secretariat, Chennai -600009.

2.The Commissioner Of Municipal Administration,
6th Floor, Ezhilagam Annes,
Chepauk, Chennai -600005.

Respondent(s)

PRAYER: This writ petition has been filed under article 226 of the Constitution of India for issuing a writ of mandamus directing the Respondents to issue a order to sanction pension as well as departmental benefits to the petitioner.

For Petitioner(s): M/s.A.Gouthaman

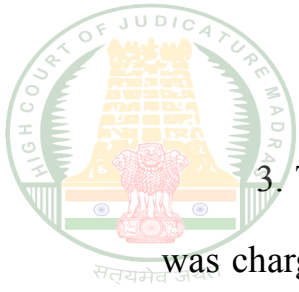
For Respondent(s): Mr.C.Selvaraj, A.G.P.
For R1 and R2

**ORDER**

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This writ petition has been filed to direct the respondents to sanction pension as well as the departmental benefits to the petitioner.

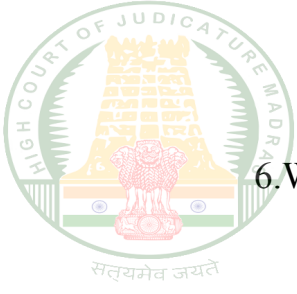
2.The case of the petitioner is that the petitioner was appointed as Junior Assistant on 04.03.1972 in the Madras Public Service commission. Thereafter, he was promoted in various grades and finally, he was promoted as 1st grade Municipal Commissioner at Chengalpattu and transferred to Municipal Commissioner, Panruti and joined duty on 17.10.2002. In that place, he was placed under suspension by the Commissioner of Municipal Administration, Chennai Vide Proc.Roc.No.84228/2002 dated 10.12.2002. Further, the case of the petitioner is that he attained the age of superannuation on 30.06.2006, but he was not permitted to retire from service on attaining the age of superannuation vide.G.O.(D).No.239 M.A & W.S.Dept dated 29.06.2006 G.O.(D).No.244 M.A.& W.S.Department dated 30.06.2006. But bduring the period of suspension, as per the above Government orders, the petitioner was getting subsistence allowance and admissible dearness allowance. The petitioner's retirement date is 30.06.2006. For the past 19 years, the petitioner has not received any pensionary benefits like pension, D.C.R.G., commutation of pension, encashment of earned leave salary, special provident fund etc till date. Hence, the present petition has been filed.



3. The learned counsel for the petitioner would submit that the petitioner was charged under the prevention of Corruption Act and he was convicted and sentenced by the learned Special Judge, Cuddalore District, Cuddalore in Spl.Case No.5 of 2004. Subsequently, the petitioner's daughter filed a writ petition in W.P.No.8001 of 2024 for remission. Pending the said writ petition, on medical grounds, vide G.O.MS.480 Home(Prison-IVA) Department dated 22.08.2024, the petitioner was released and recording the said release, the writ petition was closed on 30.08.2024. It is the further submission of the petitioner that he is now aged about 78 years and suffering from various ailments such as cancer, stroke, sugar and blood pressure. After release, the petitioner has sent a representation on 15.04.2025 claiming pension and the same is pending with the respondents.

4. At this juncture, the learned counsel for the respondents fairly submitted that they would consider the petitioner's representation within a reasonable time.

5. Considering the above fair submission, without going into the merits of the writ petition, this Court deems it appropriate to direct the respondents to consider the petitioner's representation dated 15.04.2025, and pass orders on its own merits and in accordance with law, within a period of twelve weeks from the date of receipt of a copy of this order.



6. With the above directions, this writ petition is disposed of . No costs.

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Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

mrp

To

1. The Secretary To Government

Municipal Administration And Water

Supply Department, Saintgeorge Fort,

Secretariate, Chennai -600009.

2. The Commissioner Of Municipal

Administration,

6th Floor, Ezhilagam Annes, Chepauk,

Chennai -600005.



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C.KUMARAPPAN J.

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