



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02-09-2025

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THE HONOURABLE MR JUSTICE A.D.JAGADISH CHANDIRA

WP No. 32915 of 2025

1. K.Kuppusamy
S/o. Karuppannan, 75A, Chinnu Nagar,
Mohanur Road, P.Velur Taluk,
Namakkal District.

Petitioner(s)

Vs

1. The Divisional Engineer
Highways (C and M), Namakkal -637
001

2.The Accountant General
Office of the Accountant General
(A & E), Tamil Nadu, Chenani.

Respondent(s)

PRAYER

Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus, to direct the 2nd respondent to revise the pension at Rs.30,200/- as per the proposal submitted by the 1st Respondent in his proceedings dated 03.05.2019 in the light of Tamil Nadu Pension Rule 43 in Sub-Rule 2(A)-(1) in clause (a) for the second proviso by considering the representation made by the petitioner on 09.01.2025.



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For Petitioner(s): Mr.T.Sellapandian

For Respondent(s): Mr.S.Yashwanth
Additional Government Pleader
(For R1)

Mr.A.N.R.Jayaprathap
Standing Counsel
(For R2)

ORDER

The present writ petition has been filed seeking issuance of a Writ of Mandamus, to direct the 2nd respondent to revise the pension at Rs.30,200/- as per the proposal submitted by the 1st respondent in his proceedings dated 30.05.2019 in the light of Tamil Nadu Pension Rule 43 in Sub-Rule 2(A)-(1) in clause (a) for the second proviso by considering the representation made by the petitioner on 09.01.2025.

2. Heard Mr.T.Sellapandian, learned counsel for the petitioner and Mr.S.Yashwanth, learned Additional Government Pleader for the 1st respondent and Mr.A.N.R.Jayaprathap, learned Standing Counsel for the 2nd respondent.



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3. The case of the petitioner is that he had joined service as Road Inspector (Highways) at Omalur Union, Salem District on 24.09.1981 and retired from service on 31.03.2019 at Paramathy Velur, having rendered 36 years of service. His last drawn wages were Rs.60,400/-. As per Pension Rule 43 in Sub-Rule 2(A)(1)(a), a Government Servant who retires after completing thirty years of qualifying service, is entitled to pension at 50% of the last pay drawn or 50% of the average emoluments of the last ten months, whichever is higher.

4. It is the grievance of the petitioner that though he is entitled to pension at Rs.30,200/-, the 2nd respondent sanctioned only Rs.28,450/-. In this regard, the petitioner submitted a representation to the respondents on 09.01.2025, seeking revision of pension to Rs.30,200/- along with corresponding revision of gratuity and commutation amount, but no orders have been passed till date. Hence, he approached this Court by way of this writ petition.



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5. The learned counsel for the petitioner submitted that it would be suffice if this Court issues a direction to the 2nd respondent to consider the representation of the petitioner and pass orders.

6. Considering the facts and circumstances of the case and in view of the limited prayer sought for in this writ petition, this Court, without going into the merits of the matter, directs the 2nd respondent to consider the case of the petitioner and pass orders on the representation submitted by the petitioner dated 09.01.2025 on its own merits and in accordance with law, within a period of twelve (12) weeks from the date of receipt of a copy of this order.

7. In fine, the writ petition stands disposed of. However, there shall be no order as to costs.

02-09-2025

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Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No



To

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001

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Office Of The Accountant General
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A.D.JAGADISH CHANDIRA, J.

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