



WEB COPY

WP No. 37643 of 2024



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21-03-2025

CORAM

THE HONOURABLE MR JUSTICE C.V. KARTHIKEYAN

WP No. 37643 of 2024

Dr.T.Manason

S/o. Thangamuthu.

Petitioner(s)

Vs

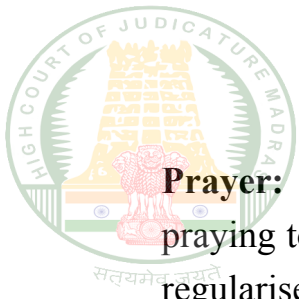
1. The Directorate of Collegiate Education,
Director of Collegiate Education,
Institute of Advance Study in Education
Campus, No. 577, Anna Salai,
Saidapet, Chennai -600 015.

2.The Care Taker, Chikkaiah Naicker
College-cum- The Joint Director of
Collegiate Education,
Race Course Rd, Next to Income Tax
Office, Race Course, Coimbatore -641018.

3.The Principal,
Chikkaih Naicker College,
Verrappan Chatram Post,
Erode -638 004

4.The Principal Accountant General (A & E),
Office of the Principal Accountant General
(A & E), Tamil Nadu.
No.361, Anna Salai,
Chennai 600 018.

Respondent(s)

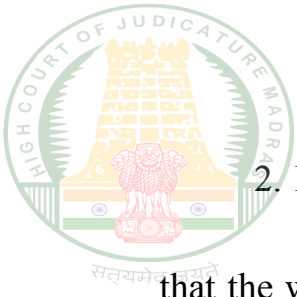


Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the Respondent Nos. 2 and 3 to regularise the suspension period from 18.03.2010 to 13.10.2010 and forward the petitioner's pension proposals to the 4th respondent along with necessary enclosures and consequently DIRECT the 4th respondent to approve and grant the Petitioner's pensionary benefits viz, full pension, death cum retirement gratuity, commuted value of pension, encashment of earned leave, encashment of leave on private affairs, special provident fund and all other retirement benefits including commutation of pension to the petitioner forthwith with 12% interest from the date of his retirement on the basis of the petitioner's representation dated 18.10.2024 and 22.10.2024, within a time limit stipulated by this Court.

For Petitioner	C.Rajaguru
For R1 & R2	Mr.C.Jayaprakash Government Advocate
For R3	Mr. B.Ravi
For R4	Mr.P.Manorajan

ORDER

The writ petition has been filed in the nature of mandamus seeking a direction against the second and third respondents to regularise the suspension period between 18.03.2010 and 13.10.2010 and forward the pension proposals of the petitioner to the fourth respondent and direct the fourth respondent to grant the pensionary benefits to the petitioner herein. The petitioner also seeks interest to be paid from the date of retirement till the date of actual disbursement of the amount payable and paid to the petitioner herein.



WEB COPY

2. In the affidavit filed in support of the writ petition, it had been stated that the writ petitioner had served for 33 years and had retired on attaining the age of superannuation on 31.07.2022 as Associate Professor and Head of the Department in the Department of English from the third respondent college. It had been further stated that he is a devout Christian and a member of the Coimbatore Diocese of the Church of South of India. He had contested the election of the Coimbatore Diocese. He also became the Convenor of Higher Education Committee of Coimbatore Diocese in the year 2001, which was an honorary position. There were various complaints lodged by and against various members of the Diocese and in respect of the same, FIR in crime No.1 of 2009 had been registered on 09.07.2009 by the jurisdictional police, wherein, the petitioner was arrayed as A3. He was also arrested on 18.03.2010 and later, enlarged on bail on 24.03.2010. The petitioner was deemed to be suspended from service of the third respondent with effect from 18.03.2010 till 13.10.2010. This period of suspension has to be treated as being on service or as leave by the third respondent. Thereafter, a proposal for releasing the pensionary benefits of the petitioner will have to be forwarded by the third respondent.



WEB COPY

3. The learned counsel appearing for the third respondent states that the third respondent had forwarded the pension proposal to the fourth respondent.

However, the learned counsel for the fourth respondent contends that the issue is still now pending with the third respondent.

4. This is extremely deplorable. Either one of the respondents should take up the responsibility of finalising the pension proposal and taking a final decision regarding how to treat the period under which the petitioner was in suspension more than a decade ago between 18.03.2010 till 13.10.2010. The learned counsel for the petitioner pleads that the second respondent had also sanctioned the proposals relating to the pension payable to the petitioner. A mandamus is issued to the fourth respondent to examine the proposal forwarded by the third respondent and pass appropriate orders within a period of three weeks from the date of receipt of a copy of this order.

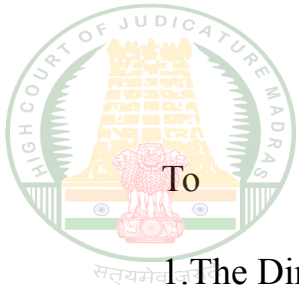
5. The writ petition stands disposed of. No Costs.

sli

21-03-2025

Index: Yes/No

Internet: Yes



To

1.The Directorate Of Collegiate

Education,

Director Of Collegiate Education,
Institute Of Advance Study In
Education Campus, No. 577, Anna
Salai, Saidapet, Chennai -600 015.

2.The Care Taker, chikkaiah Naicker
College-cum-

The Joint Director Of Collegiate
Education, Race Course Rd, Next To
Income Tax Office, Race Course,
Coimbatore -641018.

3.The Principal,
Chikkaih Naicker College, Verrappan
Chatram Post, Erode -638 004

4.The Principal Accountant General(A
& E),
Office Of The Principal Accountant
General(A & E), Tamil Nadu.



WEB COPY

WP No. 37643 of 2024



C.V.KARTHIKEYAN J.
sli

WP No. 37643 of 2024

21-03-2025