



WP(MD)No.12884 of 2019

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Dated : 06.01.2025

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THE HONOURABLE MR. JUSTICE B.PUGALENDHI

WP(MD)No.12884 of 2019

J.Sreedharan

... Petitioner

versus

1. State of Tamil Nadu
Rep. by its Principal Secretary,
Commercial Taxes and Registration Department,
Secretariat,
Chennai – 600 009.
2. The Commissioner of Commercial Taxes,
Chepauk,
Chennai – 600 005.
3. The Joint Commissioner (Commercial Taxes),
Trichy Division,
Trichy.
4. The Deputy Commissioner (Commercial Taxes),
Pudukkottai District,
Pudukkottai.
5. The Secretary to Government,
Human Resource Management Department,
State of Tamil Nadu,
Secretariat, Chennai.



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6. The Vigilance Commissioner,
State of Tamil Nadu,
Secretariat, Chennai.

(R5 and R6 are suo motu impleaded
vide order dated 22.11.2024)

... Respondents

Writ Petition filed under Article 226 of the Constitution of India, seeking for the issuance of a Writ of Certiorarified Mandamus, to call for the records relating to the impugned order passed by the 2nd respondent vide his proceedings in Ref.No.E1/49458/2007 dated 11.11.2013 r/w. the order passed by the 3rd respondent vide his proceedings in R.C. 12760/2012-A2 dated 07.01.2013 r/w the order passed by the 4th respondent vide proceeding in Proc.RC.No.2532/2011/A1 dated 05.10.2012 and quash the same and consequently, direct the respondents to pay the provisional pension of Rs.10,325/- along with arrears with effect from 01.09.2012 to the petitioner.

For Petitioner : Mr.S.Anwar Sameem

For R1 to R5 : Mr.G.V.Vairam Santhosh,
Additional Government Pleader

For R6 : Mr.S.Ravi,
Additional Public Prosecutor

ORDER

The petitioner, a former Deputy Commercial Tax Officer, has filed this writ petition as against the order of the 3rd respondent dated 07.01.2023, rejecting the petitioner's claim for pension and the order of



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the second respondent dated 11.11.2013 on the appeal preferred by him.

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2. The Department of Vigilance and Anti Corruption, Pudukottai, has registered two criminal cases as against the petitioner in Crime Nos.4 and 8 of 2007. Pursuant to the registration of the criminal case, the petitioner was placed under suspension by the second respondent/Commissioner of Commercial Taxes, by order dated 17.09.2007 and he was provided with 75% of the subsistence allowance. Now, the petitioner has attained the age of superannuation on 31.08.2012 and therefore, he has to be provided provisional pension.

3. Today, when this writ petition is taken up for hearing, the learned counsel on either side submits that the criminal case in Spl.S.C.No.56 of 2014, which was registered against the petitioner for having received a bribe, was ended in conviction, by Judgment dated 18.12.2023. Apart from that, in the departmental proceedings initiated by the Department, the petitioner was also terminated from service by order dated 14.11.2024.



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4. In view of the subsequent development, this writ petition is dismissed. No costs.

06.01.2025

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NCC : Yes / No.

Index : Yes / No.

Internet: Yes / No.

To

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B.PUGALENDHI, J.

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