



W.P.(MD)No.19463 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 18.07.2025

CORAM:

THE HONOURABLE MR.JUSTICE VIVEK KUMAR SINGH

W.P.(MD)No.19463 of 2025

S.Pandi

... Petitioner

-VS-

1.The Accountant General (A and E),
Tamil Nadu,
Office of the Accountant General,
361, Anna Salai,
Chennai-18.

2.The District Collector,
Madurai District.

3.The Tahsildar,
Tirumangalam Taluk,
Madurai District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the second respondent to consider the petitioner's representation dated 20.06.2023 with regularize petitioner monthly pension received the last monthly salary sum of Rs.24,804/- based on the petitioner's representation, within the time stipulated by this Court.

For Petitioner

: Mr.H.Velavadhas



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For R1

: Mr.P.Gunasekaran
Standing Counsel

For R2 and R3

: Mr.K.Balasubramani
Special Government Pleader

ORDER

This Writ Petition has been filed seeking a direction to the second respondent to consider the petitioner's representation dated 20.06.2023 and to regularize the petitioner's monthly pension based on the last drawn salary of Rs.24,804/-, within the time frame to be stipulated by this Court.

2. By consent, this Writ Petition is taken up for final disposal at the admission stage itself.

3. According to the petitioner, he had served as a 'Village Assistant' under the third respondent from 17.05.1995, and his service was regularized on 01.06.1995. He rendered unblemished service for over 26 years and 9 months across various Village Administrative Offices in Tirumangalam Taluk. Recognizing his sincere and dedicated service, the petitioner was promoted to the post of Office Assistant on 26.05.2021 under the third respondent office. However, within a week of his promotion, the petitioner superannuated on



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31.05.2021. Following his retirement, the third respondent forwarded the petitioner's pension proposal along with all relevant records and service register to the first respondent in Roc.No.02/2021A2 dated 19.07.2021. Despite the petitioner having drawn the pay of a Special Grade Village Assistant prior to his promotion and having completed over 26 years of service without any adverse remarks, his pension has not been fixed in accordance with his last drawn salary of Rs.24,804/-. The respondents have failed to consider his long and unblemished service for the purpose of granting appropriate pension benefits. Therefore, the petitioner prays for a direction to regularize his monthly pension based on his last drawn salary, in the light of his representation dated 20.06.2023, within a time frame to be fixed by this Court.

4. Heard both sides.

5. It is needless to point out that whenever a representation of this nature is made to a Statutory Authority, there is a duty cast upon him to consider the same on its own merits and pass appropriate orders in one way or other, instead of keeping the same pending indefinitely. As such, non-consideration of the



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representation by the Statutory Authority would amount to dereliction of duty and hence, this Court will be justified in invoking its extraordinary powers under Article 226 of the Constitution of the India and direct them to consider the same within a stipulated time.

6. In the light of the above observations, there shall be a direction to the second respondent herein to consider the petitioner's representation dated 20.06.2023, on its own merits and pass appropriate orders in accordance with law, after giving due opportunity to the petitioner, within a period of two months from the date of receipt of a copy of this order. It is also made clear that this Court has not expressed any of its views with regard to the merits of the matter and that it is open to the second respondent to consider the same on its own merits.

7. With the above directions, the Writ Petition stands disposed of. There shall be no order as to costs.

NCC : Yes / No
Index : Yes / No
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VIVEK KUMAR SINGH, J.

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