

W.P.(MD)No.14016 of 2026

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **01.06.2026**

CORAM

THE HONOURABLE **Mr.JUSTICE MUMMINENI SUDHEER KUMAR**

W.P.(MD)No.14016 of 2026 &
W.M.P(MD)No.10442 of 2026

M.Suresh

...Petitioner

vs.

1.The Accountant General (A & E),
Tamil Nadu, 361 Anna Salai,
Teynampet, Chennai - 600 018.

2.The District Adi Dravidar Welfare Officer,
Tenkasi District, Tenkasi.

...Respondents

Prayer: Writ Petition filed under Article 226 of Constitution of India, praying to issue a Writ of Certiorarified Mandamus, calling for the records relating to the Impugned order passed in A.G.A&E Legal Cell/sWP(MD)No. 8032-2016/2022-23/189/3889 dated Nil-05-2023 and quash the same as illegal and unsustainable and thereby, consequently direct the first respondent herein to disburse the retirement benefits, pension and other benefits with 12 percent interest within a time frame stipulated by this Court.

For Petitioner : Mr.K.Mondela Anand

For Respondents : Mrs.K.Porkodi,
Counsel for Government of TN



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ORDER

This Writ Petition has been filed seeking a Writ of Certiorarified Mandamus to quash the impugned order in A.G.A&E Legal Cell/WP(MD)No.8032-2016/2022-23/189/3889 dated Nil-05-2023 and consequently direct the first respondent to disburse the retirement benefits, pension and other benefits with 12 percent interest.

2. Mrs.K.Porkodi, learned counsel for Government of Tamil Nadu takes notice for the respondents.

3. By consent on either sides, this Writ Petition is taken up for final disposal at the admission stage itself.

4. Heard the learned counsel appearing for the petitioner and the learned counsel appearing for the respondents.

5. The petitioner herein claims to be the son of one late Muthukaruppan, who worked as Teacher cum Warden from 08.11.1964 till 23.12.1988. The service of the petitioner's father came to end by virtue of resignation submitted by him for the purpose of contesting in election. The father of the petitioner was alive till 20.09.2012. During his lifetime, the

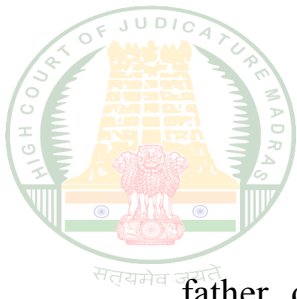


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father of the petitioner never made any claim either for payment of terminal benefits or otherwise, pursuant to the voluntary retirement application said to have been submitted by him on 07.09.1988. However, the petitioner herein after the demise of his father claims to have submitted a representation in the year 2016 for payment of terminal benefits of his father on the premise that the voluntary retirement application submitted by his father on 07.09.1988 was deemed to have been accepted by operation of law namely, Rule 56(3)(f) of Fundamental Rules. Having submitted such a representation, the petitioner approached this Court by way of Writ Petition in W.P.(MD)No.8032 of 2016 and this Court, vide order dated 28.02.2019, disposed the Writ Petition directing the respondents to consider the claim made by the petitioner. It was pursuant to the said direction, the impugned order came to be passed rejecting the claim of the petitioner on the ground that the father of the petitioner has submitted a resignation letter for the purpose of contesting in election and the said resignation was accepted and therefore, no terminal benefits would be payable. It is aggrieved by the said proceedings, the present Writ Petition has been filed.

6. The father of the petitioner who resigned from service on 23.12.1988 survived for about 24 years, but has not chosen to make any claim for terminal benefits or service benefits. Thus, it is evident that the



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father of the petitioner has accepted the situation. The father of the petitioner passed away on 20.09.2012. Four years thereafter, the petitioner herein started making claim for terminal benefits of his father. If at all there is any entitlement to the father of the petitioner to make any such claim, the same relates back to the year 1988 and the claim now that is being made by the petitioner is for the first time only in the year 2016, that is after a lapse of 28 years. Thus, the claim of the petitioner suffers from laches and abnormal delay. When the father of the petitioner himself has not chosen to agitate any such claim for about 24 years, it is not open to the petitioner to agitate at this length of time. In the circumstances, this Court does not find any error or illegality in the impugned order.

7. Therefore, this Writ Petition is dismissed at the admission stage itself. No costs.

Consequently, connected Miscellaneous Petition is closed.

01.06.2026

Speaking / Non-speaking order

Index : Yes/No

NCC : Yes/No

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MUMMINENI SUDHEER KUMAR, J.

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