

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.03.2015

CORAM:

THE HONOURABLE MR. JUSTICE K.K.SASIDHARAN

Writ Petition No.1850 of 2015

Dr.S.Hemamalini

... Petitioner

Vs

1. The Government of Tamil Nadu
Rep. by its Secretary,
Public Health and Welfare Department,
Secretariat, Chennai - 600 009.
2. The Director of Medical and Rural Health Services,
Chennai - 600 006. ... Respondents

Petition filed under Article 226 of the Constitution of India for the issuance of writ of mandamus, directing the respondents herein to pay balance of the terminal benefits namely Pension, DCRG, SPF and GPF accumulation, Terminal leave salary and arrears of pay and allowances including interest at 10% on the belated payment as claimed by the petitioner in her representation dated 08.08.2014.

For Petitioner : Mr.S.Doraisamy
Senior Counsel for
Mr.Muthumani Doraisami

For Respondents : Mr.P.Sanjay Gandhi,
Additional Govt. Pleader

O R D E R

The petitioner worked as Chief Civil Surgeon, Government General Hospital, Paramakudi. The petitioner was permitted to retire from service by order dated 30.11.2009 without prejudice to pending disciplinary proceedings. The disciplinary proceedings were finally dropped by order in G.O.[Pa] No.359 dated 07.04.2011.

2. Since the petitioner was not given the retirement benefits, she filed a writ petition in W.P.No.2441 of 2012. The respondents have paid part of the amount due to the petitioner, pursuant to the order in W.P.No.2441 of 2012 and the related Contempt Petition No.17 of 2014. According to the petitioner, she was not paid the entire

benefits payable to her. The petitioner therefore submitted a representation on 08.08.2014 requesting the respondents to pay her entire benefits with statutory interest. The present request is to direct the respondents to consider the representation on merits.

3. The respondents are directed to consider and dispose of the representation submitted by the petitioner dated 08.08.2014 on merits and as per law. Such exercise shall be completed within a period of three months from the date of receipt of a copy of this order.

4. The writ petition is disposed of with the above direction. No costs.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

svki/gya
To

1. The Secretary,
The Government of Tamil Nadu
Public Health and Welfare Department,
Secretariat, Chennai - 600 009.
2. The Director of Medical and Rural Health
Services,
Chennai - 600 006.

1 cc to Mr. Muthumani Doraisami, Advocate, SR.No.13353
1 cc to Government Pleader, Sr.No13598

सत्यमेव जयते

W.P.No.1850 of 2015

rj(co)
pmk.20.3.2015

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