

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.07.2015

CORAM:

THE HONOURABLE MR.JUSTICE D.HARIPARANTHAMAN

W.P.No.21078 of 2015

A.Dhanapal

... Petitioner

-Versus-

1. The Director of Technical Education,
Guindy,
Chennai 600 025.
2. The Principal,
Alagappa Chettiar College of Engineering
and Technology,
Karaikudi 630 004.
3. The Senior Accounts Officer,
Office of the Accountant General
[Accounts and Entitlement],
Tamil Nadu,
Chennai 600 018.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India for the relief of issuance of Writ of Mandamus directing the respondents to pay a sum of Rs.55,749/- being arrears of retirement benefits for the period from 01.08.2006 to 31.03.2010 together with interest @ 12% p.a. till date of payment.

For petitioner : Mr.S.Baskaran

For Respondents : Mrs.M.E.Rani Selvam

ORDER

The petitioner originally joined as a Library Assistant on 02.02.1969 at Government Engineering College, Salem. Subsequently, he was given promotion. While he was working as Assistant in the year 1993, he was transferred to the 2nd respondent college as Superintendent. According to the petitioner, on 31.07.2006 he retired from service as Superintendent on reaching the age of superannuation. Earlier, pension payable to him was not calculated properly, but, however, the same was subsequently

rectified and his pension has now been appropriately fixed as per G.O.Ms.No.234 Finance (PC) Department dated 01.06.2009. The grievance of the petitioner is that from the date when he retired from service to till date when the pension was appropriately fixed, that is, from 01.08.2006 to 31.03.2010, the difference of pension has not been paid to him. Though the petitioner made a representation to the respondent in this regard, there has been no response. Hence, he has come forward with this writ petition seeking for an appropriate direction to the respondents for payment of arrears of pension to the petitioner.

2. I have heard Mr.S.Baskaran, the learned counsel for the petitioner and Mrs.M.E.Rani Selvam, the learned Additional Government Pleader, who takes notice for the respondents and also perused the records carefully.

3. The learned counsel for the petitioner, during the course of hearing of the writ petition, would submit that though a positive direction is sought for, the petitioner would be satisfied, if a direction is issued to the 1st respondent to consider his representation within a time to be fixed by this court. The said statement is recorded.

4. The learned Additional Government Pleader would also be fair enough to submit that the representation of the petitioner would be considered in accordance with law within a time frame to be fixed by this court.

5. Considering the above submissions made on either side and the fact that the representation of the petitioner is pending, this court directs the 1st respondent to consider the representation of the petitioner dated 25.03.2014 on merits and in accordance with law and pass appropriate orders on the same within a period of eight weeks from the date of receipt of a copy of this order. This writ petition is accordingly disposed of. No costs.

Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

kmk

To

1.The Director of Technical Education,
Guindy,
Chennai 600 025.

2.The Principal,
Alagappa Chettiar College of Engineering and Technology,
Karaikudi 630 004.

3.The Senior Accounts Officer,
Office of the Accountant General
[Accounts and Entitlement],
Tamil Nadu, Chennai 600 018.

+1cc to M/s.S.Baskaran, Advocate, S.R.No.35436
+1cc to the Government Pleader, S.R.No.35736

W.P.No.21078 of 2015

UG(CO)
CA(31/07/2015)



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