

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATE: 24.7.2015.

CORAM

THE HON'BLE MR.JUSTICE D.HARIPARANTHAMAN

W.P.No.22400 of 2015

Dr.N.Soundaram

Petitioner

vs.

- 1 The Secretary to Government
Health and Family Welfare Department
Secretariat Chennai-9.
- 2 The Director of Medical and
Rural Health Services Chennai-6. Respondents

Writ Petition filed under Article 226 of the Constitution of India seeking issuance of a writ of mandamus directing respondents 1 and 2 to dispose of the representation of the petitioner dated 11.06.2015 with regard to the Payment of Interest at the rate of 18% on the belated Pension Benefits from the date of superannuation i.e. on 31.05.2005 to the date of actual disbursement and to disburse the petitioner surrendered earned leave with interest within short dates that may be fixed by this Honourable Court.

For Petitioner : Ms.G.Sridevi

For Respondents: Mrs.M.E.Rani Selvam, AGP.

ORDER

Petitioner worked as Joint Director of Health Services. He was to retire on 31.5.2005. He was not permitted to retire and he was retained in service by virtue of departmental proceedings.

2. Ultimately, the departmental proceedings ended in his favour and the charges were dropped by G.O.Ms.No.871 Health and Family Welfare (K1) Department dated 20.8.2013. After the dropping of the charges, the petitioner was belatedly paid the terminal benefits during 2015.

3. The petitioner has made a representation dated 11.6.2015 to the first respondent to grant interest on the belated settlement of terminal benefits.

4. Learned counsel for the petitioner has made a narrow prayer for disposal of the representation in the light of decision of the Division Bench of this Court reported in STATE OF TAMIL NADU, REPRESENTED BY THE SECRETARY TO GOVERNMENT v. DEIVASIGAMANI (2009 (3) MLJ 1).

5. In view of the narrow prayer made, the writ petition is disposed of directing the first respondent to pass orders on the representation dated 11.6.2015 for interest on the belated settlement of terminal benefits in the light of decision of the Division Bench in STATE OF TAMIL NADU, REPRESENTED BY THE SECRETARY TO GOVERNMENT v. DEIVASIGAMANI (2009 (3) MLJ 1) within a period of twelve weeks from the date of receipt of copy of this order. No costs.

ssk.

s/d-

Assistant Registrar(CS-IV)

True Copy

Sub-Assistant Registrar

To

- 1 The Secretary to Government
Health and Family Welfare Department
Secretariat Chennai-9.
- 2 The Director of Medical and
Rural Health Services Chennai-6.

+ 1 cc to M/s.G.Sridevi, Advocate SR 37953

+ 1 cc to Govt.Pleader SR 38207

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सत्यमेव जयते

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