

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 31.07.2015

CORAM :

THE HON'BLE MR.JUSTICE D.HARIPARANTHAMAN

W.P.No.23249 of 2015

K.Sugumar

.. Petitioner

vs.

1. The Commissioner,
Coimbatore City Municipal Corporation,
Coimbatore - 641 001.
2. The Deputy Examiner of Local Fund Account,
Coimbatore City Municipal Corporation,
Coimbatore - 641 001.

.. Respondents

PRAYER : Petition filed under Article 226 of the Constitution of India for the issuance of Writ of Mandamus directing the respondents to sanction and release the Pension and DCRG and also the Commutation of Pension to the petitioner as on 30.06.2015 within a reasonable period as may be fixed this Court, since the petitioner has already been allowed to retire from service on 30.06.2015.

For Petitioner : Mr.T.Ranganathan

For Respondents : Mr.K.Magesh
Standing Counsel

O R D E R

The petitioner was working as Executive Engineer. The petitioner reached the age of superannuation on 30.06.2015 and he was allowed to retire from service by the Government in G.O.(D)No.417, Municipal Administration and Water Supply Department, dated 30.06.2015 and the consequential order of the respondent in Na.Ka.No.1277/2015/MC1, dated 30.06.2015, as there is no disciplinary proceeding/criminal proceeding is pending. When all other terminal benefits were settled, Pension and DCRG and also the Commutation of Pension were not sanctioned and settled to the petitioner. He made a representation dated 16.07.2015 seeking the said benefits. In those circumstances, the petitioner has filed this writ petition seeking for a direction to the respondents to sanction and release the Pension and DCRG and also the Commutation of Pension to him.

2. The learned counsel for the petitioner submitted that the Department cannot delay the payment of DCRG or withhold the sanction of payment of Pension and the Commutation of Pension, as the same are the properties of the Government servant.

3. Hence, a direction is issued to the respondents to sanction the Pension and the Commutation of Pension and also settle DCRG, if not already paid, within a period of two months from the date of receipt of a copy of this order.

4. The writ petition is disposed of accordingly. No costs.

gg

s/d-
Assistant Registrar(J)

True Copy

Sub-Assistant Registrar

To

1. The Commissioner,
Coimbatore City Municipal Corporation,
Coimbatore - 641 001.
2. The Deputy Examiner of Local Fund Account,
Coimbatore City Municipal Corporation,
Coimbatore - 641 001.

+ 1 cc to Mr.K.Magesh, Advocate SR 39222

+ 1 cc to Mr.T.Ranganathan, Advocate SR 31966

vsn(co)
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