

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21.08.2015

CORAM

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

W.P.No.26038 of 2015

K.Jayaraman

.. Petitioner

Vs

1. State of Tamil Nadu rep. by its
Secretary,
Municipal Administration and
Water Supply Department,
Fort St. George, Chennai - 9.

2. The Director,
Local Fund Audit,
Kuralagam, Chennai - 108.

.. Respondents

Petition filed under Article 226 of The Constitution of India, praying for the issuance of a Writ of mandamus directing the respondents to pay interest on the belated payment of DCRG amount Rs.3,89,562/- with 12% of interest compoundable annually as per G.O.Ms.No.122 Finance (Pension) Department, dated 20.02.1995 and thereby direct the respondents to dispose of the representation of the petitioner dated 27.06.2015.

For Petitioner .. Mr.A.R.Nixon

For Respondents .. Mr.K.Rajendra Prasad,
Govt. Advocate

ORDER

By consent, the writ petition itself is taken up for final disposal.

2.The petitioner, while working as Revenue Officer, Udhagamandalam Municipality, was visited with disciplinary proceedings. The petitioner was permitted to retire from service, subject to the pendency of the disciplinary proceedings. Subsequently, the disciplinary proceedings has culminated in the punishment of recovery of Rs.200/- per month towards pension vide order of the first respondent in G.O.Ms.No.570 Municipal Administration and Water Supply Department dated 18.11.2013. The

grievance expressed by the petitioner is that there is a belated settlement of D.C.R.G. amount and it was received by him only on 01.10.2014 and it is his claim that as per G.O.Ms.No.122 Finance (Pension) Department dated 20.02.1995, he is entitled to interest at the rate of 12% per annum compounded annually on the belated settlement of D.C.R.G. and in this regard, submitted a representation dated 27.06.2015. Since no response is forthcoming, the petitioner came forward to file this writ petition.

3.Heard the submissions of Mr.K.Rajendra Prasad, who accepts notice on behalf of the respondents.

4.This Court, in the light of the facts and circumstances, directs the first respondent to consider and dispose of the petitioner's representation dated 27.06.2015 on merits and in accordance with law, after taking note of the above said Government Orders, within a period of ten weeks from the date of receipt of a copy of this order and communicate the decision taken, to the petitioner. The writ petition is disposed of accordingly. No costs.

mmi

s/d-

Assistant Registrar(CS-III)

True Copy

Sub-Assistant Registrar

To

1. The Secretary to Government,
Municipal Administration and
Water Supply Department,
Fort St. George, Chennai - 9.
2. The Director,
Local Fund Audit,
Kuralagam, Chennai - 108.

+ 1 cc to Mr.A.R.Nixon, Advocate SR 44945

+ 1 cc to Govt.Pleader SR 44687

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W.P.No.26038 of 2015