

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.02.2015

CORAM:

THE HONOURABLE MR. JUSTICE K.K.SASIDHARAN

Writ Petition No.28148 of 2014

M. Tamilarasu

[Petitioner]

Vs

1 The State of Tamilnadu
Rep by the Principal Secretary
Municipal Administration and
Water Supply Department
Fort St. George Chennai 9

2 The Commissioner of
Municipal Administration
Ezhilagam Annexe
Chepauk Chennai 5

[Respondents]

Petition filed under Article 226 of the Constitution of India for the issuance of writ of mandamus directing the respondents 1 and 2 to forthwith issue appropriate proceedings to sanction the Death cum Retirement Gratuity and sanction the regular pension within such time as may be fixed by this Honourable Court.

For Petitioner : Mr.P.Srinivas

For Respondents : Mr.M.S.Ramesh, Additional Government
Plaeader

O R D E R

The petitioner after working as Municipal Commissioner, retired on 30.04.2014. However, the petitioner was not given Death-cum-Retirement benefit besides pension presumably on account of the pendency of a charge memorandum dated 03.04.2014. The petitioner submitted a representation on 10.10.2014, requesting the 1st respondent to release the amount due to him. However, there was no follow up action, resulting in filing of this writ petition.

2. The learned counsel for the petitioner by placing reliance on the proceedings dated 11.04.2014 and 21.04.2014 on the file of the Local Fund Audit Department submitted that the audit objection has already been rectified and as such nothing prevented the 1st respondent from releasing the amount and fixing the pension.

3. I have also heard the learned Additional Government Pleader for the respondents.

4. The 1st respondent is directed to consider and dispose of the representation of the petitioner dated 10.10.2014 on merits and as per law and more particularly in the light of the proceedings dated 11.04.2014 and 21.04.2014 on the file of the Local Fund Audit Department. Such exercise shall be completed within a period of three months from the date of receipt of a copy of this order.

The Writ Petition is disposed of with the above direction. No costs.

Sd/-
Deputy Registrar

//True Copy//

Sub Assistant Registrar

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To

1 The State of Tamilnadu
Rep by the Principal Secretary
Municipal Administration and Water Supply Department
Fort St. George Chennai 9

2 The Commissioner of
Municipal Administration Ezhilagam Annexe
Chepauk Chennai 5

+ 1 cc to Mr.P. Srinivas, Advocate SR.10531

+ 1 cc to Government Pleader Sr.10590

W.P.No.28148 of 2014

CNR(CO)
EU 09.03.2015

सत्यमेव जयते
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