

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.09.2015

CORAM:

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

Writ Petition No.27908 of 2015

V.Chendilvel

... Petitioner

Vs.

1. The Government of Tamil Nadu,
Represented by the Secretary to Government,
School Education Department,
Secretariat, Fort St. George, Chennai - 600 009
2. The Director of Elementary Education,
College Road, Nungambakkam, Chennai - 6
3. The District Elementary Education Officer,
Kancheepuram, Kancheepuram District
4. The District Treasury Officer,
Kancheepuram, Kancheepuram District

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus directing the respondents to dispose of the petitioner's representation, dated 11.12.2013, for 18% interest on the belated payment of DCRG amount of Rs.2,85,417/- for the period from 01.02.2006 to 31.10.2007 for 21 months period within the time frame to be fixed by this Court.

For Petitioner : Mr. K.Thennan
For Respondents : Mr. R.Vijayakumar, AGP.,

सत्यमेव जयते

O R D E R

Admit. Mr.R.Vijayakumar, learned Additional Government Pleader, takes notice for the respondents. By consent of the learned counsel for both sides, the writ petition is taken up for final disposal at the admission stage itself.

2. The petitioner would state that, after thirty-seven years of service, he was retired from service, on superannuation, on 31.01.2006, from the post of Additional Assistant Elementary Educational Officer, Achirupakkam, Kancheepuram District. However, the respondents had delayed the DCRG amount, for 21 months period, from the date of his retirement, for no fault of him. In this

regard, the petitioner has approached this Court, by filing W.P.No.21712 of 2007 and vide order, dated 27.06.2007, this Court directed the first respondent therein, namely, the Director of Elementary Education, Chennai, to consider and dispose of the petitioner's representation, dated 05.01.2007, on merits and in accordance with law, within a stipulated time frame and in compliance of the said order, a sum of Rs.2,85,417/- was disbursed to the petitioner on 27.11.2007, through a cheque. The petitioner has submitted representations, dated 31.03.2008 and 30.06.2008, praying for the interest on the belated disbursement of DCRG and the third respondent has also made a positive recommendation to the second respondent, vide his proceedings Na.Ka.No.8282/PS/2005, dated 03.06.2008, but inspite of the same, the interest amount has not been paid to the petitioner. Hence, the petitioner has come forward to file this writ petition.

3. This Court heard the submissions of the learned counsel for the petitioner as well as the learned Additional Government Pleader, who accepts notice on behalf of the respondents.

4. This Court, by taking into consideration the limited scope of the prayer sought for in this petition and without going into the merits of the claim projected by the petitioner and in the light of the above facts and circumstances, directs the second respondent to act on the proposal, dated 03.06.2008 sent by the third respondent, in accordance with law, and pass orders, within a period of six weeks from the date of receipt of a copy of this order and communicate the decision taken to the petitioner.

5. This writ petition is disposed of accordingly. No costs.

srk

s/d-

Assistant Registrar(CS-III)

True Copy

Sub-Assistant Registrar

To

1. The Secretary to Government,
Government of Tamil Nadu,
School Education Department,
Secretariat, Fort St. George, Chennai - 600 009
2. The Director of Elementary Education,
College Road, Nungambakkam, Chennai - 6

3. The District Elementary Education Officer,
Kancheepuram, Kancheepuram District

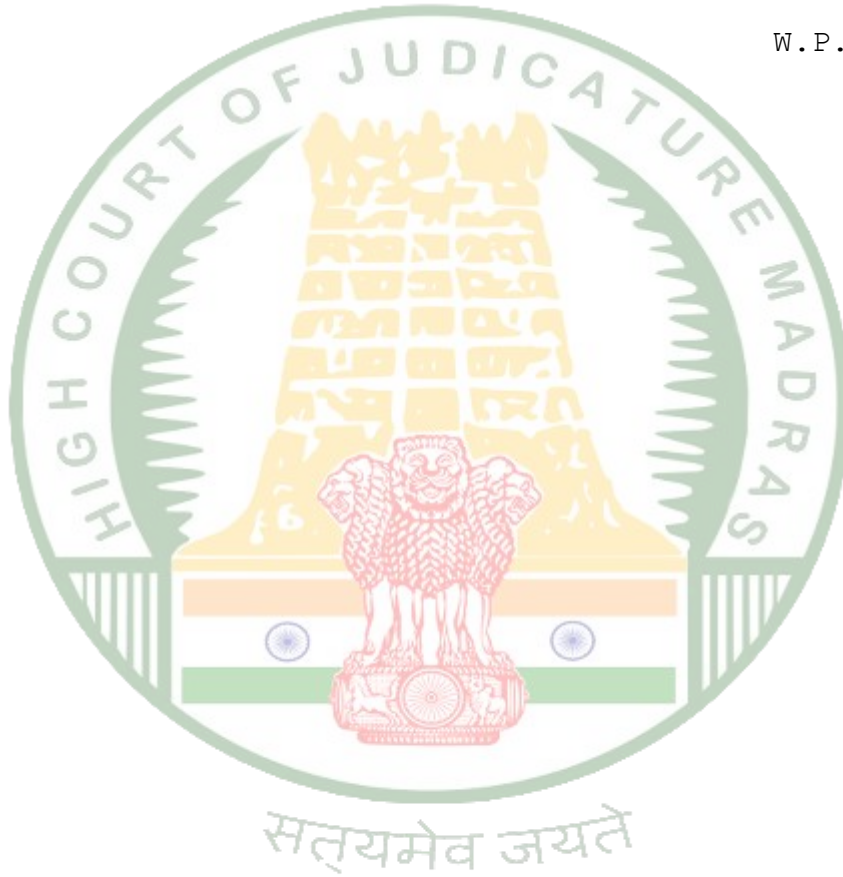
4. The District Treasury Officer,
Kancheepuram, Kancheepuram District

+ 1 cc to Mr.K.Thennan, Advocate, SR 48036

+ 1 cc to Govt.Pleader High Court, Madras SR 48301

bvr(co)
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