

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09-09-2015

CORAM

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

WRIT PETITION No.28353 of 2015

R.Swaminathan

.. Petitioner

vs

1. The Director of Medical Education
Chennai 600 010

2. The Dean
Kilpauk Medical College
Chennai 600 010

.. Respondents

Writ petition filed under Article 226 of the Constitution of India praying for issuance of a writ of Mandamus directing the first respondent to consider and pass orders on the petitioner's representation dated 7.4.2015, regarding the payment of service benefits mentioned in the said representation, within a time limit.

For Petitioner : Mr.P.Rajendran

For Respondents : Mr.R.Vijayakumar
Additional Government Pleader

ORDER

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

2.The petitioner would state that he while working as an Assistant in Kilpauk Medical College, Chennai, was visited with a Disciplinary Proceeding, which ultimately ended in the punishment of his dismissal from service on 20.12.2000, and the statutory appeal preferred by him, was also dismissed on 7.12.2006, and he challenging the legality of the said order, had filed W.P.No.4776/2007 and the writ petition was partly allowed and the punishment of dismissal from service was modified into one of withholding the increment for a period of six months without cumulative effect and the official respondents made a challenge to the said order by filing W.A.No.1230/2012 and it was partly allowed on 5.11.2013.

3.The learned Counsel appearing for the petitioner, would submit that though the DCRG and other pensionary benefits have been settled, the pay increase pursuant to the recommendation of the Pay Commission and the interest payable on the belated settlement of DCRG and pension, have not been paid to the petitioner and in this regard, he has submitted a representation dated 7.4.2015, to the first respondent and since no orders have been passed, he is constrained to approach this Court by filing this writ petition.

4.The Court heard the submissions of Mr.R.Vijayakumar, learned Additional Government Pleader, who accepted notice on behalf of the respondents, also.

5.This Court, taking into consideration the limited scope of prayer sought for by the petitioner, and without going into the merits of the same, directs the first respondent to consider the petitioner's representation dated 7.4.2015, in accordance with law and pass orders thereon within a period of eight 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.

s/d-
Assistant Registrar(J)

True Copy

Sub-Assistant Registrar

To:

1. The Director of Medical Education
Chennai 600 010
2. The Dean
Kilpauk Medical College
Chennai 600 010

+ 1 cc to Mr.P.Rajendran, Advocate SR 49538

+ 1 cc to Govt.Pleader SR 49273

ggk(co)
prk1/10

W.P.No.28353 of 2015