

In the High Court of Judicature at Madras

Dated: 06.10.2015

Coram

The Honourable Mr.JUSTICE M.SATHYANARAYANAN

Writ Petition No.31551 of 2015

M.Palaniswamy

.... Petitioner

Vs.

1. The Secretary to Government,
Rural Development & Panchayat Raj Department,
Fort St. George, Chennai - 600 009.

2. The Directorate of Rural Development,
'Panagal Building', Saidapet,
Chennai - 600 015.

.... Respondents

PETITION under Article 226 of The Constitution of India praying for issuance of Writ of Mandamus to direct the respondents to pay compound interest at 12% p.a. for the delayed payment of retirement benefits, namely, gratuity, commutation of pension, special provident fund, encashment of earned and unearned leave due to him in the light of the representation made by him dated 24.6.2013 to the first respondent within a reasonable time.

For Petitioner : Mr.K.Venkataramani, S.C.
for Mr.M.Muthappan

For Respondents : Mr.S.Gunasekaran, G.A.

O R D E R

By consent, the Writ Petition itself is taken up for final disposal.

2. The petitioner, while working as Deputy Block Development Officer, was placed under suspension on 29.05.1998 and since he reached the age of superannuation, separate order was passed under Rule 56(1)(c) of the Fundamental Rules not permitting the petitioner to retire from service and issued extension of service beyond the age of superannuation. Subsequently, the petitioner was exonerated from the charges and he was permitted to retire from service, with effect from

31.5.1998.

3. The grievance, now expressed by the petitioner is that the retirement/terminal benefits have been paid belatedly and in this regard, he has submitted a representation dated 24.06.2013 praying for interest at the rate of 12% p.a. for the belated settlement of retirement/terminal benefits. Since no orders have been passed, the petitioner has filed this Writ Petition.

4. Heard the submissions of the learned counsel appearing for the petitioner, Mr.S.Gunasekaran, learned Government Advocate, who accepts notice on behalf of the respondents.

5. Though the petitioner has prayed for a larger relief, this Court, in the light of the above facts and circumstances, permits the petitioner to submit one more representation by enclosing a copy of this order as well as the copy of the earlier representation dated 24.06.2013 within a period of two weeks from the date of receipt of a copy of this order to the respondents, who on receipt of the same, consider the said representation and pass orders on merits and in accordance with law within a period of twelve weeks thereafter and communicate the decision taken, to the petitioner.

The Writ Petition is disposed of accordingly. No costs.

-Sd/-

Assistant Registrar

//True copy//

Sub Assistant Registrar

To

1. The Secretary to Government,
Rural Development & Panchayat Raj Department,
Fort St. George, Chennai - 600 009.
2. The Directorate of Rural Development,
'Panagal Building', Saidapet,
Chennai - 600 015.

+1 cc to Mr.M.Muthappan, Advocate (sr.54139)

+1 cc to Government Pleader (sr.54391)

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GGK(co)

cp 19/10/2015