

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09-10-2015

CORAM

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

WRIT PETITION No.32182 of 2015

N.Palani

... Petitioner

vs

1. The Government of Tamil Nadu
Represented by its Secretary
Rural Development and Panchayat
Raj Department
Fort St. George, Chennai 600 009
 2. The Director of Rural Development
Department, Panagal Building
Saidapet, Chennai 600 015
 3. The District Collector
Villupuram District, Villupuram
- ... Respondents

Writ petition filed under Article 226 of the Constitution of India praying for issuance of a writ of mandamus directing the respondents to forthwith pay interest on the belated payment of arrears of DCRG and encashment of Earned Leave, withheld one year increment and arrears of pension at the rate of 18% per annum pursuant to the representations dated 24.2.2014 and 30.12.2014, preferred by the petitioner.

For Petitioner : Mr.K.Raja
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 on attaining the age of superannuation on 31.5.1997, retired as Deputy Block Development Officer and while he was working as Extension Officer at Tirukovilur Panchayat Union, was visited with a Disciplinary Proceeding in the form of charge memo dated 4.3.1991, and no orders were passed thereon, and four years

thereafter, a fresh charge memo was issued, which culminated in the order of punishment of stoppage of increment for a period of one year without cumulative effect, and the petitioner made a challenge by filing O.A.No.4413/1996 before the Tamil Nadu Administrative Tribunal and on abolition of the Tribunal, it was transferred to the file of this Court and renumbered as W.P.No.5921/2006, and it was dismissed on 17.10.2006, and the appeal in W.A.No.2595/2010 filed by him challenging the said order, was allowed and he made his claim for promotion to the post of Deputy Block Development Officer by filing O.A.No.3703/1996 before the said Tribunal, and it was also transferred to the file of this Court and renumbered as W.P.No.6963/2006 and it was allowed on 17.10.2006, and ultimately, the third respondent has promoted the petitioner notionally as Deputy Block Development Officer with effect from 11.1.1995. According to the petitioner, the legal battle started in the year 1996 and came to an end in the year 2011.

3.The grievance expressed by the petitioner, is that the arrears of DCRG calculated at Rs.5,575/-, were paid only on 13.11.2013, after a gap of nearly three years, and therefore, he is entitled to interest at the rate of 18% per annum on the belated settlement and in this regard, has also submitted representations dated 24.2.2014 and 30.12.2014, to the second respondent and since no orders have been passed, came forward to file this writ petition.

4.Heard the submissions of the learned Counsel appearing for the petitioner, and Mr.R.Vijayakumar, learned Additional Government Pleader, who accepted notice on behalf of the respondents.

5.Though the petitioner prayed for a larger relief, this Court, in the light of the above facts and circumstances, permits him to submit one more representation to the second respondent by enclosing a copy of this order as well as copies of his earlier representations dated 24.2.2014 and 30.12.2014, within a period of two weeks from the date of receipt of a copy of this order and the second respondent, on receipt of the same, is directed to consider it on merits and in accordance with law and pass orders thereon within a further period of eight weeks thereafter and communicate the decision taken, to the petitioner. The writ petition is disposed of accordingly. No costs.

Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

nsv

To:

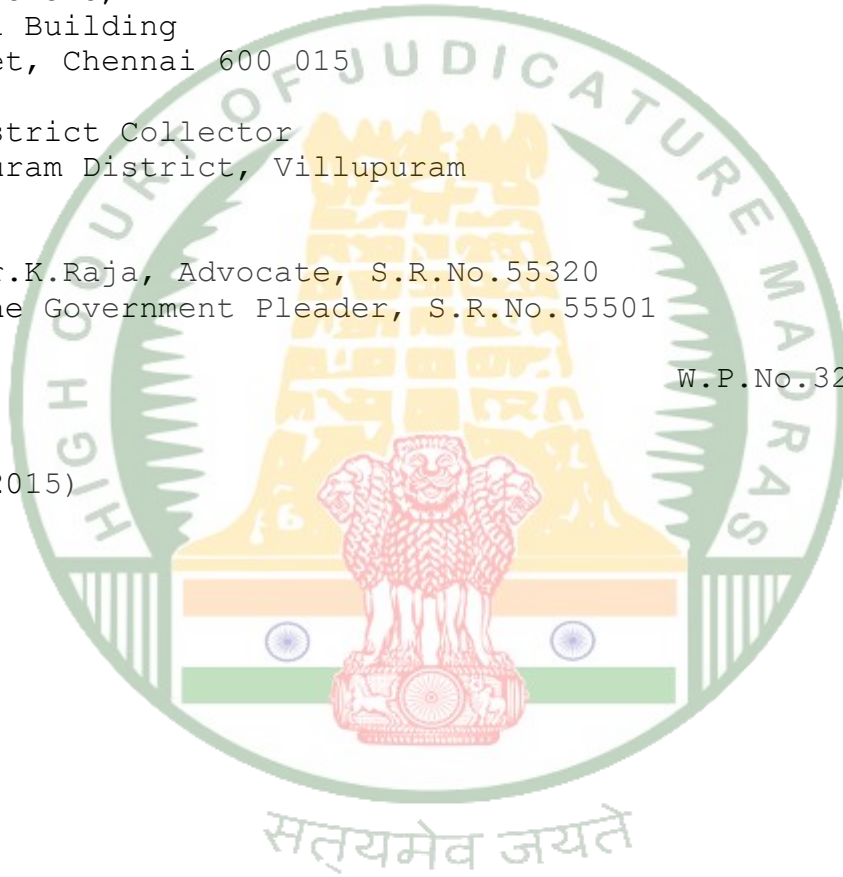
1. The Secretary to Government
Rural Development and Panchayat
Raj Department
Fort St. George, Chennai 600 009
2. The Director of Rural Development
Department,
Panagal Building
Saidapet, Chennai 600 015
3. The District Collector
Villupuram District, Villupuram

+1cc to Mr.K.Raja, Advocate, S.R.No.55320

+1cc to the Government Pleader, S.R.No.55501

W.P.No.32182 of 2015

SV(CO)
CA(26/10/2015)



WEB COPY