

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 20.11.2015

CORAM

THE HONOURABLE MR.JUSTICE K.KALYANASUNDARAM

W.P.No.37135 of 2015

S.Lalitha

... Petitioner

- Vs -

1. The Corporation of Chennai,
Represented by its Commissioner,
Ripon Building,
Chennai-600 003.

2. Zonal Officer,
Zone VIII,
Corporation of Chennai,
Thiru Vi.Ka Park,
Shenoy Nagar,
Chennai-600 024.

3. The Secretary to Government,
Municipal Administration,
Water Supply Department,
Fort St.George,
Chennai-600 009.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondents to pay the gratuity, Pension Arrears of Pension, C.P.S. Amount, Earn Leave, Pay Commission Arrears with 18% interest from the date of retirement to the petitioner.

For Petitioner : Mr.N.Beulah John Selvaraj

For Respondent : Mr.G.Anantharangan

Nos.1 and 2

For Respondent : Mr.N.Srinivasan,

No.3 Additional Government Pleader

O R D E R

Mr. G.Anantharangan, learned counsel takes notice for the respondents 1 & 2 and Mr.N.Srinivasan, learned Additional Government Pleader takes notice for the respondent No.3. By consent, the writ petition is taken up for final disposal at the admission stage itself.

2. According to the petitioner, she was appointed as a Sweeper in the respondent corporation on a daily wage basis in the year 1997 and her service was regularised on 28.05.2008 and she retired from service on 30.08.2014.

3. The further case of the petitioner is that as per G.O.No.408, dated 25.08.2009, half of the temporary service of daily wages served for 11 years had to be taken into account for pension purpose. Since the respondents have not paid her gratuity, C.P.S. Amount, Special G.P.F, Pension, Earned leave, she made a representation dated 12.01.2015. But, so far the respondents have not considered the same. Hence, the present writ petition.

4. Heard Mr.N.Beulah John Selvaraj, learned counsel for the petitioner and Mr.G.Anantharangan, learned counsel for the respondents 1 & 2 as well as Mr.N.Srinivasan, learned Additional Government Pleader for respondent 3.

5. This Court, in the light of the above facts and circumstances, permits the petitioner to submit one more representation along with all particulars by enclosing a copy of this order to the first respondent, within a period of two weeks from the date of receipt of a copy of this order. The first respondent, on receipt of the same, is directed to consider the said representation on merits and in accordance with law, within a period of eight weeks thereafter and communicate the decision taken by him to the petitioner. The writ petition is disposed of accordingly. No costs.

-s/d-
Assistant Registrar

True Copy

Sub-Assistant Registrar

sms

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To

1. The Corporation of Chennai,
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Municipal Administration,
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Fort St.George,
Chennai-600 009.

+1 cc to Mr.G.Anantharangan Advocate sr.62959

+1 cc to Mr.N.Beulah john selvaraj Advocate sr.63260

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