

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 25.11.2015

CORAM

THE HONOURABLE MR.JUSTICE K.KALYANASUNDARAM

W.P.No.37466 of 2015

P.Mylsamy

... Petitioner

- Vs -

1. The State of Tamilnadu
Rep. by the Secretary to Government
Revenue Department
Fort.St.George Chennai-09.
2. The Addional Commissioner
Revenue Department Ezhilagam Chepauk
Chennai-05.
3. The District Collector
Collector Office Coimbatore-18.
4. The Sub Collector
Sub Collector Office
Pollachi Coimbatore District-642001.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India praying to issue Writ of mandamus directing the respondents to pay interest for the delay in payment of the retirement benefit as per petitioner's representation dated 23.09.2014 13.01.2015 04.04.2015 and 24.06.2015 of the petitioner.

For Petitioner : Mr.K.P.Gopalakrishnan

For Respondents : Mr.S.Gunasekaran
Government Advocate

ORDER

According to the petitioner, he is working as Village Administrative Officer at Devarayapuram Village, in Kinathukadavu Taluk. He decided to take retirement voluntarily and submitted an application on 15.8.2012 to the fourth respondent seeking his permission. Since, it was rejected, he filed a writ petition in W.P.No.25129 of 2012 and the same was dismissed. In the writ appeal in W.A.No.2331 of 2012 by order dated 23.04.2014, he was allowed to retire and his retirement should be deemed from 15.8.2012.

2. The petitioner would further state that the Division Bench of this Court has directed the respondents to pay all retirement benefits. Since the respondents paid retirement benefits belatedly, he submitted representations dated 23.09.2012, 13.1.2015, 04.4.2015 and 24.6.2015 seeking 18% interest on the delayed payment of retirement benefits. Since no action has been taken so far, the present writ petition has been filed.

3. Heard the learned counsel for the petitioner and Mr.S.Gunasekaran, learned Government Advocate appearing on behalf of respondents.

4. Though the petitioner prayed for a larger relief, this Court considering the facts of this case and without going into the merits of the case, directs respondents 1 to 3 to consider the representations of the petitioner dated 23.09.2012, 13.1.2015, 04.4.2015 and 24.6.2015 on merits and in accordance with law and pass orders within a period of 12 weeks from the date of receipt of a copy of this order and communicate the decision taken to the petitioner.

5. Writ petition is disposed of accordingly. No costs.

Sd/-

Assistant Registrar(CS IV)

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Sub Assistant Registrar

kua

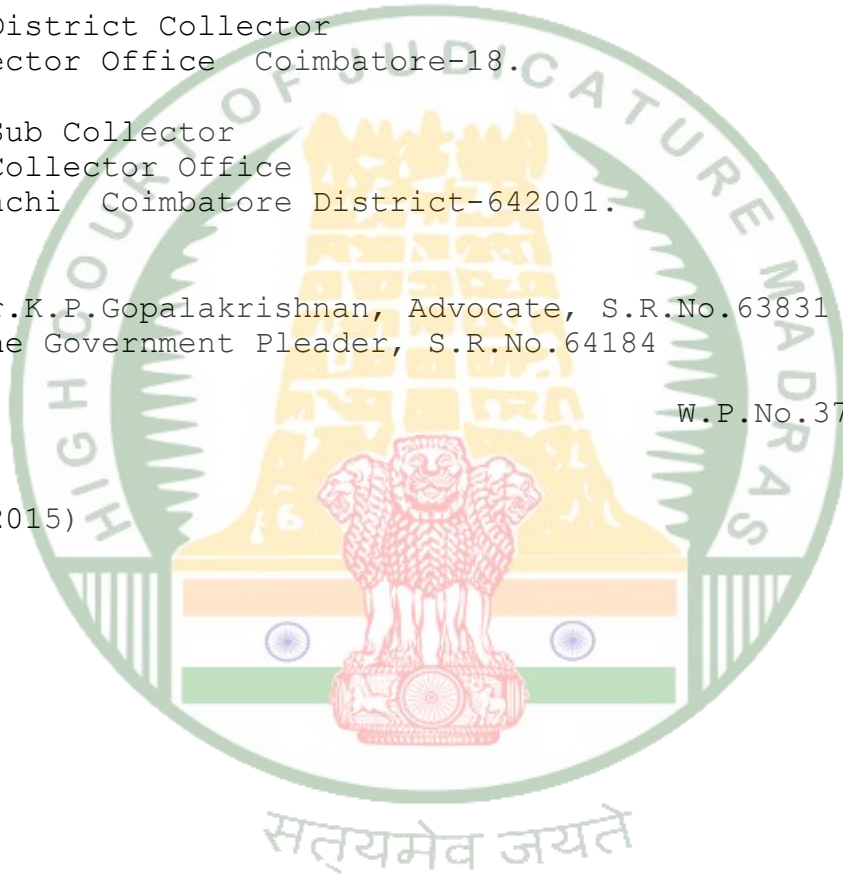
To

1. The Secretary to Government
State of Tamilnadu
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+1cc to Mr.K.P.Gopalakrishnan, Advocate, S.R.No.63831
+1cc to the Government Pleader, S.R.No.64184

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PPA (CO)
CA(18/12/2015)



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