

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.04.2015

CORAM

THE HONOURABLE MR.JUSTICE D.HARIPARANTHAMAN

W.P.No.9897 of 2015

M.Gandhi

... Petitioner

Vs.

1. The Secretary to Government,
Agricultural Production Commissioner and
Secretary to Government
Agricultural Department,
Fort St. George,
Chennai - 600 009.

2. The Commissioner of Agriculture,
Chepauk, Chennai - 5.

3. The Principal Accountant General (A&E),
Teynampet, Chennai.

... Respondents

Prayer : Writ Petition has been filed under Article 226 of the Constitution of India praying for the issuance of Writ of Mandamus directing the respondents 1 and 2 to dispose of the representation of the petitioner dated 20.02.2015 with regard to the Payment of Interest at the rate of 18% on the belated Pension benefits.

For Petitioner : Ms.G.Sridevi

For Respondents : Mr.V.Jayaprakash Narayanan
Special Govt. Pleader

ORDER

With the consent of both sides, the writ petition itself is taken up for disposal.

2. The petitioner seeks for a direction to the respondents 1 and 2 to dispose of his representation dated 20.02.2015 with regard to the Payment of Interest at the rate of 18% on the belated Pension benefits.

3. According to the petitioner, he retired from service on 31.07.2005, but he was not given terminal benefits, due to the pendency of the disciplinary proceedings. However, the charge memo was set aside by the first respondent in G.O.Ms.(3d)No.54, Agricultural (Vi.Ni.) Department, dated 05.03.2013 and the petitioner was permitted to retire from service with effect from 31.07.2005. Though the petitioner was sanctioned with pension and DCRG, his grievance is that he is not paid interest on the belated payment. He made representations dated 21.08.2014 and 20.02.2015 and he also enclosed the postal acknowledgment for the same.

4. In view of the limited prayer now sought for by the petitioner seeking a direction to the respondents to dispose of his representation dated 20.02.2015, there will be a direction to the first respondent to consider and pass orders on the petitioner's representation dated 20.02.2015, seeking for interest on belated settlement of terminal benefits, based on the orders of the Division Bench of this Court in GOVERNMENT OF TAMIL NADU, REPRESENTED BY THE SECRETARY TO GOVERNMENT VS. M.DEIVASIGAMANI [2009 (3) MLJ 1], wherein, the judgment of the Honourable Supreme Court in S.K.DUA VS. STATE OF HARYANA [2008 (3) SCC 44] was relied on, within a period of eight weeks from the date of receipt of a copy of this order.

5. This writ petition is disposed of accordingly. No costs.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

gg

To

1. The Secretary to Government,
Agricultural Production Commissioner and
Secretary to Government
Agricultural Department,
Fort St. George,
Chennai - 600 009.

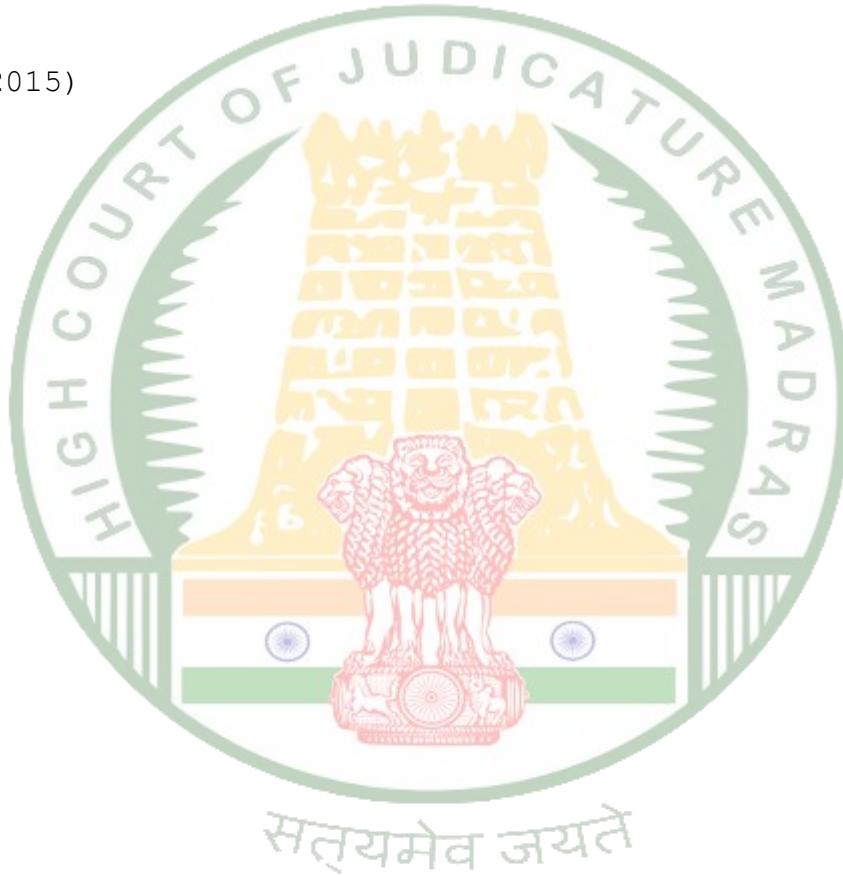
2. The Commissioner of Agriculture,
Chepauk, Chennai - 5.

3. The Principal Accountant General (A&E),
Teynampet, Chennai.

+1cc to Mr.G.Sridevi, Advocate, S.R.No.18804
+1cc to the Government Pleader, S.R.No.19007

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JP (CO)
CA(13/04/2015)



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