

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 18.01.2016

Coram :

The Hon'ble Mr.Justice K.KALYANASUNDARAM

W.P.No.1158 of 2016

G.Kuppayee

... Petitioner

vs

1.The Secretary to Government,
Revenue Department,
Fort St. George,
Chennai - 600 009.

2.The Commissioner of Revenue
Administration, Chepauk,
Chennai - 600 005.

3.The District Collector,
Salem,
Salem District.

4.The Sub Collector,
Mettur, Mettur Taluk,
Salem District.

5.The Tahsildar,
Mettur,
Mettur Taluk,
Salem District.

6.The Accountant General
Office of the Accountant General
Teynampet,
Chennai - 600 018.

... Respondents

Writ Petition is filed under Article 226 of the Constitution of India for the issue of a Writ of Mandamus directing the respondents to sanction and pay all retirement benefits viz., monthly family pension, pension arrears, DCRG, commuted value of pension, leave salary, etc. with interest to the petitioner.

For Petitioner : Mr.M.Elango

For Respondents : Mr.S.Gunasekaran,
Govt. Advocate for R1 to R5
Mr.V.Vijay Shankar for R6

O R D E R

By consent, this writ petition is taken up for disposal at the admission stage itself.

2. The prayer in this writ petition is for issuance of a writ of mandamus directing the respondents to sanction and pay all retirement benefits with interest to the petitioner.

3. According to the petitioner, her husband Govindan was working as Village Assistant since 1977 and he was permitted to retire from service on 31.03.2007 on attaining the age of superannuation. On the date of his retirement, he was paid only Rs.48,671/- towards General Provident Fund whereas the other terminal benefits were not settled. While so, the petitioner's husband died on 04.01.2008 and thereafter the petitioner has been making representations to the respondents to pay the terminal benefits and pension. Eventually, on 26.11.2015, the petitioner sent a representation to the respondents for sanctioning the terminal benefits payable to her. Thereafter, the 3rd respondent viz. District Collector, Mettur vide his letter dated 19.12.2015 directed the 4th respondent, viz. Sub Collector, Mettur to take action on the representation of the petitioner. Despite the same, the petitioner was not paid the terminal benefits so far. Hence, the present writ petition has been filed.

4. Heard Mr.M.Elango, learned counsel appearing for the petitioner, Mr.S.Gunasekaran, learned Government Advocate who accepts notice on behalf of the respondents 1 to 5 and Mr.V.Vijay Shankar, learned counsel who accepts notice on behalf of the 6th respondent.

5. Considering the nature of the prayed sought for in the writ petition and without going into the merits of the case, this Court, directs the respondents 3 to 5, to consider the petitioner's representation dated 26.11.2015 and pass orders on merits and in accordance with law, within a period of eight weeks from the date of receipt of a copy of this order and communicate the decision taken, to the petitioner.

The writ petition is disposed of accordingly. No costs.

Sd/-
Assistant Registrar(CS VII)

//True Copy//

Sub Assistant Registrar

rgr

To

1.The Secretary to Government,
Revenue Department,
Fort St. George, Chennai - 600 009.

2.The Commissioner of Revenue
Administration, Chepauk,
Chennai - 600 005.

3.The District Collector,
Salem, Salem District.

4.The Sub Collector,
Mettur, Mettur Taluk,
Salem District.

5.The Tahsildar,
Mettur, Mettur Taluk,
Salem District.

6.The Accountant General
Office of the Accountant General
Teynampet, Chennai - 600 018.

+1cc to Mr.M. Elango, Advocate, S.R.No.2712
+1cc to Mr.V. Vijayshankar, Advocate, S.R.No.2665
+1cc to the Government Pleader, S.R.No.2720

RV(CO)
EU(12/02/2016)

सत्यमेव जयते

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