

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 20.01.2016

CORAM

THE HONOURABLE MR. JUSTICE K.KALYANASUNDARAM

W.P. No.1737 of 2016

Murugammal

.. Petitioner

Vs.

1. The District Collector,
Krishnagiri District.
2. Director of Pension,
DMS Compound,
Chennai.
3. Tahsildar,
Thenkanikottai Taluk,
Krishnagiri District.

... Respondents

PRAYER : Writ Petition has been filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the respondents to disburse the petitioner's husband terminal payments of late Thiru K.Vardharajan relating to differential Gratuity, Commutation, Leave Encashment, Surrender Leave Salary and Pension arrears for the period specified, differential pension, by calculating D.A. eligible as per newly implemented, DCRG, Commutation amount with interest at 12% per annum with effect from 30.09.2012 (being the date of the petitioner's husband superannuation) and also for the payment of the family pension to the petitioner within stipulated time to be fixed by this Court.

For Petitioner : Mr.P.Paramasiva Doss

For Respondents : Mrs.M.E.Raniselvam
Additional Government Pleader

ORDER

By consent, the Writ Petition is taken up for final disposal at the admission stage itself.

2. The case of the petitioner is that her husband K.Vardarajan, who was working as Village Administrative Officer in the respondent Department, retired from service on 30.09.2012 on attaining the age of superannuation. Since he was facing minor charges, he was not paid the entire terminal benefits on the date of retirement and subsequently, he died on 05.08.2014.

3. The petitioner would state that her husband was receiving pension and after his demise, the petitioner made representations to the respondent for payment of remaining terminal benefits and pension. The first respondent, District Collector, Krishnagiri District, vide Letter No.Om.Mu.25725/2015/A4 dated 01.12.2015, directed the third respondent, Tahsildhar, Krishnagiri District, to take action on the representations of the petitioner. Despite the same, so far no order has been passed and hence, the present Writ Petition has been filed.

4. Heard the submissions of Mr.P.Paramasiva Doss, learned counsel appearing for the petitioner and Mrs.M.E.Raniselvam, learned Additional Government Pleader, who accepts notice on behalf of the respondents.

5. Learned counsel appearing for the petitioner would contend that it would suffice that if a direction is issued to the third respondent to consider the representation of the petitioner dated 30.09.2015.

6. This Court, taking into consideration the submission of the learned counsel for the petitioner and without going into the merits of the case, directs the third respondent to consider the representation of the petitioner dated 30.09.2015 and pass appropriate orders, on merits and in accordance with law, within a period of twelve weeks from the date of receipt of a copy of this order and communicate the decision taken to the petitioner.

7. The Writ Petition is disposed of accordingly. No costs.

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sd/-
Assistant Registrar (Cs-III)

/TRUE COPY/

Sub-Assistant Registrar

ogy/sri

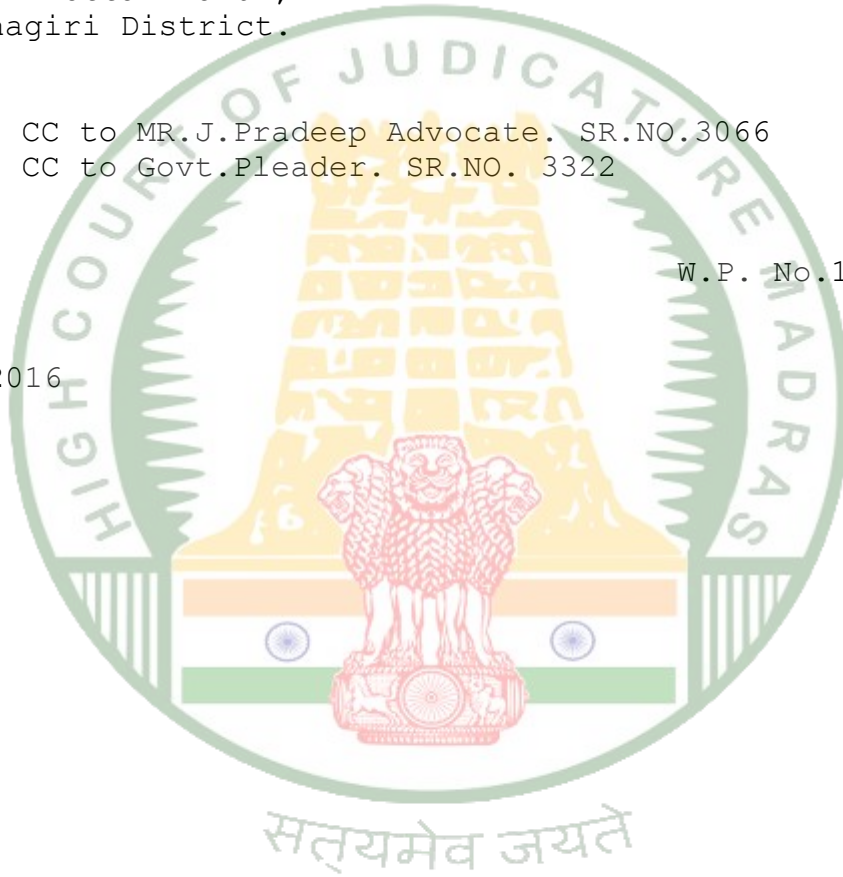
To

1. The District Collector,
Krishnagiri District.
2. Director of Pension,
DMS Compound,
Chennai.
3. Tahsildar,
Thenkanikottai Taluk,
Krishnagiri District.

+1 CC to MR.J.Pradeep Advocate. SR.NO.3066
+1 CC to Govt.Pleader. SR.NO. 3322

W.P. No.1737 of 2016

CO-RSI
JD 12/02/2016



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