

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10-06-2016

CORAM

THE HON'BLE MR. JUSTICE B. RAJENDRAN

Writ Petition No.19682 of 2016

P.Jawaharlal Nehru

.. Petitioner

Vs.

1. The Principal Secretary to Government
Department for the Welfare of the
Differently Abled persons
Fort St.George, Chennai 600 009.

2. The Commissioner
Department for the Welfare of the
Differently Abled Person
Jawaharlal Nehru Inner Ring Road
K.K.Nagar, Chennai.

..Respondents

Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus to direct the respondents to pay the amount of Death cum Retirement Gratuity (DCRG) and Special Provident Fund to the petitioner along with interest @ 13% from 01.05.2015 till the date of disbursement.

For Petitioner : Mr.R.Prem Narayan
For Respondents : Mr.P.Chinnadurai
Government Advocate

O R D E R

By consent, the Writ Petition is taken up and disposed of at the admission stage itself.

2. This Writ Petition has been filed seeking to issue a Writ of Mandamus to direct the respondents to pay the amount of Death cum Retirement Gratuity (DCRG) and Special Provident Fund to the petitioner along with interest @ 13% from 01.05.2015 till the date of disbursement by considering his representation dated 29.04.2016.

3. The case of the petitioner is that he was earlier working in the Department for the Welfare of the Differently Abled Person and retired as a Headmaster on 30.04.2015 from the Government School for the Blind, Uliyampalayam, Coimbatore-9 and he was allowed to work till the end of the academic year, i.e., upto 31.05.2015. The grievance of the petitioner is that

though his pension papers were scrutinized by the office of the Accountant General of Tamil Nadu and proceedings also have been issued, the authorities are not sanctioning his retirement benefits, viz., DCRG and Special Provident fund benefits. Therefore, he submitted a representation dated 29.04.2016 to the respondents. Since there was no response, he has preferred the above writ petition seeking the aforesaid prayer.

4. Learned counsel appearing for the petitioner would submit that since the petitioner has retired from service a year ago, he would be satisfied, if a direction is issued to the respondents to consider and dispose of the representation submitted by the petitioner within a stipulated time for disbursing his terminal benefits.

5. Mr. P. Chinnadurai, the learned Government Advocate, who took notice on behalf of the respondents has got no serious objection for such course of action.

6. Considering the submissions made on either side and in view of the limited prayer sought for by the petitioner, this Court, without going into the merits of the claim made by the petitioner and also taking into account the fact that the petitioner has retired from service as early as 30.04.2016, directs the respondents, to consider the representation submitted by the petitioner dated 29.04.2016 for disbursement of his terminal benefits and pass appropriate orders on the same, on merits and in accordance with law, as expeditiously as possible, preferably, within a period of two months from the date of receipt of a copy of this order.

7. The Writ Petition is disposed of accordingly. No costs.
vj2

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

To

1. The Principal Secretary to Government
Department for the Welfare of the
Differently Abled persons
Fort St. George, Chennai 600 009.

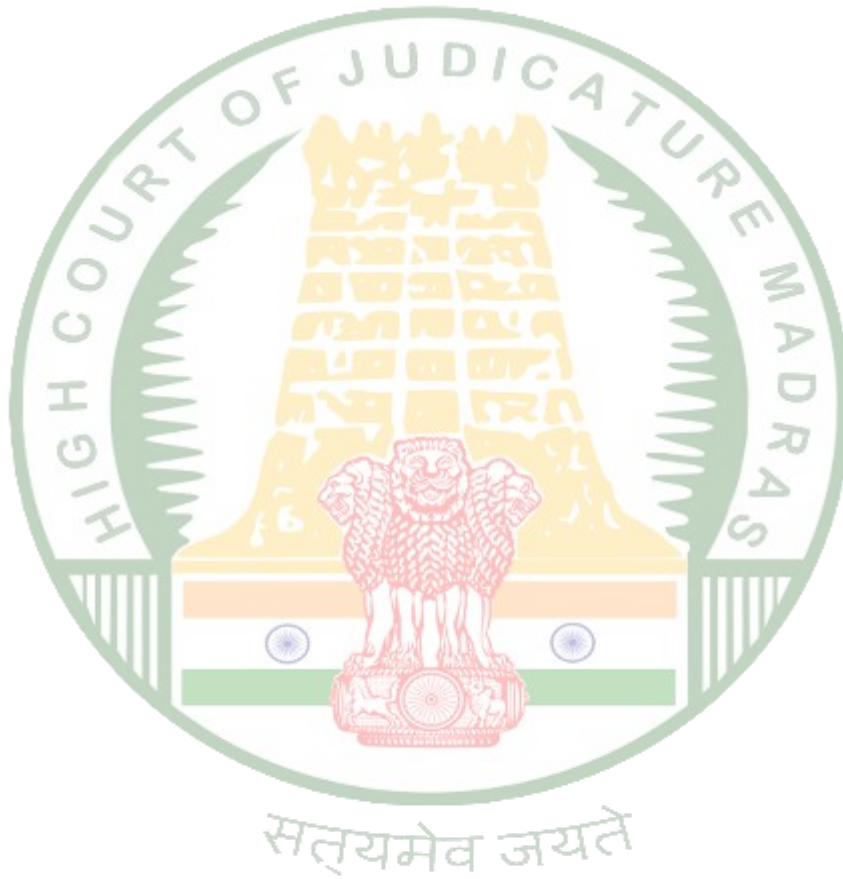
2. The Commissioner
Department for the Welfare of the
Differently Abled Person
Jawaharlal Nehru Inner Ring Road
K.K. Nagar, Chennai.

+1cc to Mr.R.Prem Narayan, Advocate S.R.No.31492

+1cc to the Government Pleader, S.R.No.31591

KR/23/6/16

W.P.No.19682 of 2016



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