

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02.09.2016

CORAM:

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

WP.No.3643 of 2012

WMP.No.13276 of 2016

Prema Eswarappan

Petitioner

Vs

- 1.The State of Tamil Nadu by Secretary
Municipal Administration and Water Supply Department
Fort St.George, Chennai-9
- 2.The Commissioner of Municipal Administration
Chepauk, Chennai-5
- 3.The Director, Local Fund Accounts Department
Huralagam, 4th Floor,
Chennai-108
- 4.The Municipal Commissioner,
Municipal Office, Arcot
Vellore 632 503

Respondent

Prayer:- This Writ Petition is filed to issue a Writ of Mandamus to direct the 4th Respondent to pay the interest at the rate fixed by the court for the delayed break up periods of payments of encashment of earned leave of Rs.33,145/- and the encashment of leave on private affairs of Rs.76,355/- and also to direct the 4th Respondent to pay the GPF interest of Rs.27,751/- earned from 1975-1976 up to the date of his retirement with interest at the rate fixed by in GO.Ms.No.122 Finance (Pension) Department, dated 20.2.1995 and in GO.Ms.No.173 Finance (Pension) Department dated 1.4.2004 from the date of the Petitioner's retirement to the date of disbursement with a time frame.

For Petitioner	:	Mr.A.R.Nixon
For Respondent	:	Mr.K.Dhanjayan-AGP-R1 to R3
		Mr.V.Subbiah-R4

ORDER

Though the above miscellaneous petition to fix an early date to dispose of the main Writ Petition is listed today, by consent of the learned counsel on either side, the main Writ Petition itself is taken up for final disposal.

2. In this Writ Petition, the Petitioners seeks for a direction to the 4th Respondent to pay the interest at the rate fixed by the court for the delayed break up periods of payments of encashment of earned leave of Rs.33,145/- and the encashment of leave on private affairs of Rs.76,355/- and also to pay the GPF interest of Rs.27,751/- earned from 1975-1976 up to the date of his retirement with interest at the rate fixed by in GO.Ms.No.122 Finance (Pension) Department, dated 20.2.1995 and in GO.Ms.No.173 Finance (Pension) Department dated 1.4.2004 from the date of the Petitioner's retirement to the date of disbursement with a time frame.

3. This court heard the learned counsel on either side and considered their submissions and also perused the materials placed on record.

4. For the belated payment of pensionary benefits, the Petitioner approached the authorities concerned by various representations, but, it was of no use. Hence, the learned counsel for the Petitioner seeks for appropriate directions to the concerned authority for the same. Since there are no other details relating to the representation of the Petitioner, the Petitioner is permitted to make a fresh representation with all the details in regard to the interest to be paid calculating the number of days delay, along with a copy of this order to the 4th Respondent within a period of two weeks from the date of receipt of a copy of this order and on receipt of the same, the 4th Respondent is directed dispose of the same, on merits and in accordance with law, within a period of six weeks thereafter.

5. With the above directions, this Writ Petition is disposed of. No costs. Consequently, the connected MP is closed.

Sd/-
Asst. Registrar.

/true copy/

Sub Asst. Registrar.

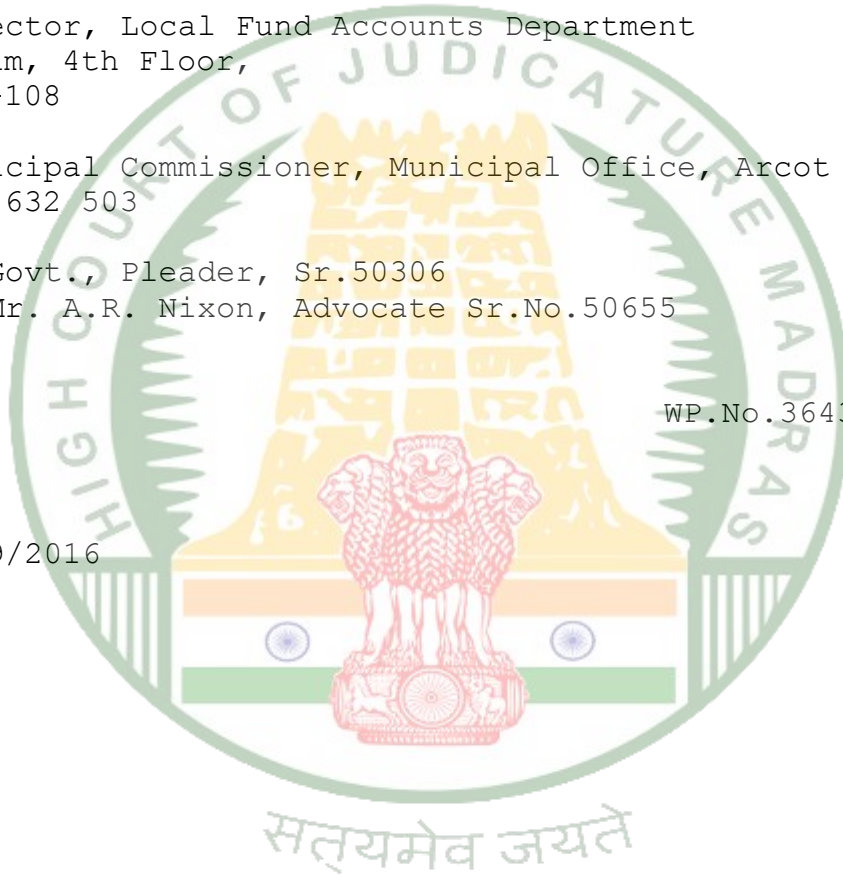
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To:

- 1.The Secretary
State of Tamil Nadu by
Municipal Administration and Water Supply Department
Fort St.George, Chennai-9
 - 2.The Commissioner of Municipal Administration
Eghilagam, 5th Floor,
Chepauk, Chennai-5
 - 3.The Director, Local Fund Accounts Department
Kuralagam, 4th Floor,
Chennai-108
 - 4.The Municipal Commissioner, Municipal Office, Arcot
Vellore 632 503
- +1 CC to Govt., Pleader, Sr.50306
+1 CC to Mr. A.R. Nixon, Advocate Sr.No.50655

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PVS (CO)
MD : 16/09/2016



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