

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATE: 29.08.2016

CORAM

THE HONOURABLE MR.JUSTICE B.RAJENDRAN

Writ Petition No.29942 of 2016

Mrs.P.Kamala

.. Petitioner

Versus

1. The Government of Tamil Nadu,
Rep. by its Secretary,
Municipal Administration and Water Supply
Department,
Fort St. George, Chennai-600 009.
2. The Director of Town Panchayat,
Kuralagam, Chennai-108.
3. The Assistant Director of Town Panchayat,
Cuddalore, Cuddalore District-607 001.
4. The Executive Officer,
Sangarapuram Selection Grade Town Panchayat,
Villupuram District.

.. Respondents

Petition filed under Article 226 of the constitution of India to issue a Writ of Mandamus directing the respondents to pay Gratuity, pension, family pension, GPF, SPF, Leave salary and arrears of Pension and other terminal benefits of Late P.Pakkiri to the petitioner with interest at the rate of 24% per annum, pursuant to the representations dated 07.06.2016 and 25.07.2016.

For Petitioner	: Mr.N.Kolandaivelu
For Respondents	: Mr.P.Senthil Vel (R1 to R3) Government Advocate

ORDER

This Writ Petition has been filed seeking for issuance of Writ of Mandamus directing the respondents to pay Gratuity, pension, family pension, GPF, SPF, Leave salary and arrears of Pension and other terminal benefits of Late P.Pakkiri to the petitioner with interest at the rate of 24% per annum, pursuant to the representations dated 07.06.2016 and 25.07.2016.

<https://hcservices.ecourts.gov.in/hcservices/> 2. The case of the petitioner is that her husband Mr.Pakkiri was working as Executive Officer, Sangarapuram Selection Town Panchayat, Villupuram District. At the verge of the retirement, he

was suspended from service on 27.09.2007 and consequently, he was not permitted to retire from service on 30.09.2007. On 08.07.2013 he died, leaving behind the petitioner and her son namely Udyakumar as his legal heirs. It is further submitted that the petitioner's husband has received subsistence allowance until his death. After his death, the first respondent passed an order of abatement dropping all the charges against him vide G.O.No.96MAWS (TP4) Department dated 04.03.2014. After the above said Government Order, the petitioner made several representations to the respondents 2 & 3 on 25.06.2014, 18.02.2016, 09.03.2016, 07.06.2016 and 25.07.2016 seeking to pay Family Pension, Gratuity, GPF, SPF, Leave Salary and etc., payable to her deceased husband. Since, no orders have been passed on the said representations till date, the petitioner has come forward with this Writ Petition seeking for the aforesaid relief.

3. Heard the learned counsel for the petitioner as well as learned Government Advocate appearing for the respondents.

4. Having regard to the above facts and circumstances of the case and also considering the submissions made by the learned counsel appearing on either side, this Court, without expressing any opinion on the merits of the case, directs the respondents 2 and 3 to consider and pass orders on the representation of the petitioner dated 25.07.2016 on merits and in accordance with law, within a period of three months 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//

सत्यमेव जयते
Sub Assistant Registrar

arr/rsh
To

1. The Secretary,
The Government of Tamil Nadu,
Municipal Administration and Water Supply
Department,
Fort St. George, Chennai-600 009.

2. The Director of Town Panchayat,
Kuralagam, Chennai-108.

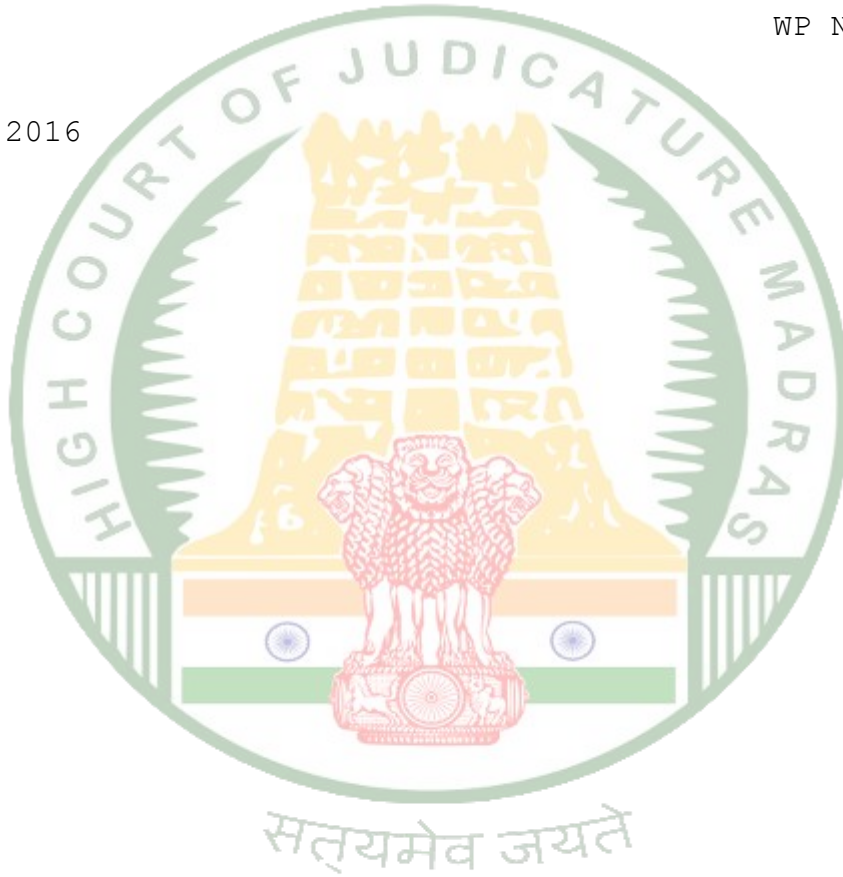
3. The Assistant Director of Town Panchayat,
Cuddalore, Cuddalore District-607 001.

4. The Executive Officer,
Sangarapuram Selection Grade Town Panchayat,
Villupuram District.

+lcc to Mr.N.Kolandaivelu, Advocate, S.R.No.48941
+lcc to the Government Pleader, S.R.No.49135

WP No.29942 of 2016

nr(co)
pmk.22.10.2016



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