

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.09.2016

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THE HONOURABLE MR.JUSTICE R.SUBBIAH

W.P.No.31414 of 2016

Dr.M.Suseela

... Petitioner

Vs.

- 1 The Principal Accountant General (A&E),
No.361, Anna Salai, Teynampet,
Chennai – 600 018.
- 2 Director of Medical and Rural health Services,
ESI, DMS Complex 361,
Anna Salai,
Chennai – 600 006.
- 3 The Medical Superintendent,
ESI Hospital,
Ayanavaram,
Chennai – 600 023.

... Respondents

Prayer:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus to settle the petitioner's retirement terminal benefits namely DCRG, Person Oriented Promotion benefits and all other attendant benefits with 18% interest per annum from the date of retirement to till date of actual payment within the time that may be stipulated by this Court.

For Petitioner : Mr.S.Karthikeibalan
For Respondents : Mr.S.Gunasekaran for R2 and R3
Additional Government Pleader

ORDER

By consent, the writ petition is taken up for final disposal.

2.The present writ petition has been filed seeking a Mandamus to settle the petitioner's retirement terminal benefits namely, DCRG, Person Oriented Promotion benefits and all other attendant benefits with 18% interest per annum from the date of retirement to till date of actual payment within the time that may be stipulated by this Court.

3.The petitioner is a Doctor by profession and she was working as Medical Superintendent in the Employee's State Insurance until her retirement on 30.04.2014. The first respondent vide No.AG(A&E)/PEN 120/12014485/4/R2014485/86 dated 14.10.2014, has forwarded the pension proposal of the petitioner to the second respondent indicating that a sum of Rs.10,00,000/- towards DCRG is payable to the petitioner and the Pension Pay Officer has also forwarded the other pensionary benefits payable to the petitioner vide communication in Letter No.PPO/Pen/PSB/31685A dated 06.05.2015, to the Divisional Manager, Indian Bank, Rajaji Salai,

Chennai – 600 001. Even then, the petitioner was made to run from post to pillar and after several requests, she was finally asked to deposit 10 nos. of National Savings Certificates totally worth Rs.1,00,000/- with the third respondent hospital and accordingly, the petitioner deposited the said bonds along with a letter dated 28.05.2015. The petitioner in this regard, has also made several representations to the respondents and the last of such representation is dated 19.05.2016 and since it evoked no response, the petitioner left with no other alternative, has come forward with this writ petition.

4.Heard the submissions of the learned counsel appearing for the petitioner and the learned Additional Government Pleader who takes notice for the respondents 2 and 3.

5.Considering the submissions made on either side, this Court directs the petitioner to give a fresh copy of the representation along with a copy of this order to the third respondent, within a period of two weeks from the date of receipt of a copy of this order and the third respondent on receipt of the same, is directed to consider the said representation, on merits and in accordance with law and pass appropriate orders, within a period of four weeks thereafter.

R.SUBBIAH,J.

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6.The writ petition is disposed of accordingly. No costs.

09.09.2016

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Index: Yes/ No

Internet: Yes/ No

To

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