

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.10.2016

CORAM

THE HONOURABLE MR.JUSTICE R.SUBBIAH

W.P.No.35637 of 2016

Anbazhagan

... Petitioner

Vs.

1. The Government of Tamil Nadu
rep. by its Secretary,
Department of Finance (Pension),
Fort St. George, Chennai-600 009.
2. The Accountant General,
Office of the Accountant General,
261, Anna Salai,
Chennai-600 018.
3. The Treasury Officer,
Office of the Treasury and Accounts,
Department of Treasury and Accounts,
Villupuram District,
Tamil Nadu.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus, directing the respondents to settle the petitioner's retirement benefits with 18% interest on delayed payment to the petitioner from 31.10.2013 the date of retirement till the date of settlement of the terminal benefits.

For Petitioner : Mr.J.V.Sathyanarayanan

For respondents : Mr.K.Dhananjayan,
Special Government Pleader

ORDER

This writ petition has been filed by the petitioner praying for issuance of a Writ of Mandamus, directing the respondents to settle the petitioner's retirement benefits with 18% interest on delayed payment to the petitioner from the date of retirement till the date of settlement of the terminal benefits.

2.It is stated that the petitioner had joined as a part time worker in the Department of Treasury and Accounts, Villupuram District (3rd respondent herein) in the year 1976. Subsequently, the petitioner was appointed as Full Time Worker. He was appointed as Night Watchman. The petitioner retired from service on 31.10.2013. The grievance of the petitioner is that the respondents have not settled the retirement benefits to the petitioner. Though the petitioner made several representations to the respondents requesting to settle the retirement benefits to him, the request of the petitioner was not considered. Hence, the petitioner has come forward with the present writ petition.

3.Heard both sides and perused the materials available on record.

4.The writ petition has been filed seeking to direct the respondents to settle the retirement benefits of the petitioner. Though the writ petition has been filed for larger relief, this Court is not inclined to give such a positive direction.

5.However, the petitioner is directed to give a fresh representation to the 3rd respondent with regard to payment of retirement benefits, along with a copy of this order, within a period of two weeks from the date of receipt of a copy of this order. On receipt of such representation, the 3rd respondent is directed to consider the same and pass appropriate orders on merits and in accordance with law, within a period of four weeks thereafter. It is made clear that this Court has not expressed any opinion on the merits of the claim made by the petitioner and it is for the 3rd respondent to pass orders wholly on the merits and in accordance with law.

With the above direction, the writ petition is disposed of. No costs.

Sd/-

Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

ssv

To

1. The Secretary,
Government of Tamil Nadu
Department of Finance (Pension),
Fort St. George, Chennai-600 009.

2. The Accountant General,
Office of the Accountant General,
261, Anna Salai,
Chennai-600 018.
3. The Treasury Officer,
Office of the Treasury and Accounts,
Department of Treasury and Accounts,
Villupuram District,
Tamil Nadu.

+1cc to Mr.J.V.Sathyanarayanan, Advocate, S.R.No.57971
+1cc to the Government Pleader, S.R.No.51868

W.P.No.35637 of 2016

NR(CO)
CA(28/11/2016)



WEB COPY