

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03.11.2016

CORAM:

THE HONOURABLE MR. JUSTICE R.SUBBIAH

WRIT PETITION No.38299 of 2016

Paulraj

... Petitioner

vs.

1. The Joint Director of Public Health,
Government Head Quarters Hospital,
Erode District,
Erode.

2. The Chief Civil Surgeon/
The Medical Officer,
Bhavani,
Erode District.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a writ of mandamus directing the 1st respondent to disburse the terminal benefits of the petitioner.

For Petitioner : Mr.M.Guruprasad
For Respondents : Mr.D.Suriya Narayanan
Government Advocate

O R D E R

The petitioner has come up with this Writ Petition seeking a direction to the 1st respondent to disburse the terminal benefits due to him.

2. According to the petitioner, he joined the Government Hospital at Sathyamangalam, Erode District in a temporary post in the year 1985 and continued in the same post till 1991 in Gobichettipalayam. In 1992, he was transferred to Bhavani Government Hospital and worked there as a Ward Boy. He retired as a Nursing Assistant Grade-II in Bhavani Government Hospital, Erode District on 30.06.2016 on attaining superannuation, vide proceedings of the 1st respondent dated 27.06.2016. The petitioner's grievance is that even after his retirement, the respondents, without stating any valid reasons, are withholding

his terminal benefits. It is also the case of the petitioner that he and his wife are living separately from 1999 onwards and he also made a representation to the 2nd respondent on 31.03.2016 to consider his name alone for family pension. Though he approached the respondents seeking retirement benefits, since his efforts turned futile, the petitioner has now approached this Court by way of the present Writ Petition.

3. Learned counsel for the petitioner submitted that the grievance of the petitioner will be redressed if the respondents are directed to consider his representation.

4. Heard the learned counsel on either side.

5. In view of the above, this Court directs the petitioner to send a copy of the representation dated 31.03.2016 along with a copy of this order to the 1st 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 1st respondent is directed to consider the same and pass appropriate orders in accordance with law, within a period of four weeks.

This Writ Petition is disposed of with the above direction. No costs.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

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1. The Joint Director of Public Health,
Government Head Quarters Hospital,
Erode District, Erode.

2. The Chief Civil Surgeon/
The Medical Officer,
Bhavani, Erode District.

+1cc to Mr.M. Guruprasad, Advocate, S.R.No.63088
+1cc to the Government Pleader, S.R.No.62832

nri(CO)
md(28/11/2016)

W.P.No.38299 of 2016