

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.11.2016

CORAM

THE HONOURABLE MR. JUSTICE R.SUBBIAH

Writ Petition No.40406 of 2016

R.Selvakumar

.. Petitioner

Vs

- 1 The Principal Accountant
General Accounts and Entitlements
261 Anna Salai Chennai-18.
 - 2 The Director Collegiate
Education College Education Department
Chennai-6.
 - 3 The Joint Director of
Collegiate Education Dharmapuri Region
Dharmapuri-638 705.
 - 4 The District Collector
Dharmapuri District Dharmapuri.
 - 5 The Secretary
J.K.K.Nataraja College of Arts and Science
Nataraja Puram Kumarapalayam Namakkal
District
- सत्यमेव जयते
- ... Respondents

Writ petition has been filed under Article 226 of the Constitution of India, praying for a Writ of mandamus directing the first respondent to grant petitioner retirement benefit as recommended by the 3rd respondent's proceedings in RC No.001714/B2/2015 dated 7.8.2015 and following his representation dated 28.6.2016.

For Petitioner : Mr.S.Saravanan Satheesh Kumar
For Respondents : Mr.V.Vijay Shankar,
for R1
Mr.N.Srinivasan,
Addl. Govt. Pleader,
for R2 to R4

ORDER

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

2. The petitioner has come up with the present writ petition for a mandamus, directing the first respondent to grant his retirement benefits as recommended by the third respondent vide proceedings in RC No.001714/ B2/2015 dated 7.8.2015 by considering his representation dated 28.6.2016.

3. It is the case of the petitioner that he was working under the fifth respondent as Laboratory Assistant and after completion of 31 years of service, he retired from service on 31.10.2014. Though the petitioner retired from service on 31.10.2014, till date, his terminal benefits have not been settled to him. In this regard, his representation was taken into file by the third respondent by proceedings dated 7.8.2015 and the same was forwarded to the first respondent on 1.9.2015 for necessary action. But, till date, no action has been taken by the first respondent. Finally, he sent a representation dated 28.6.2016 to the respondents, but, the same was also not considered. Hence, left with no other alternative, the petitioner has come up with the present writ petition for the relief set out earlier.

4. I have heard the learned counsel appearing for the petitioner, the learned counsel, who has taken notice on behalf of the first respondent and the learned Additional Government Pleader, who has taken notice on behalf of the respondents 2 to 4.

5. Considering the facts and circumstances of the case and considering the submissions made on either side, without going into the merits of the claim projected by the petitioner, this Court directs the petitioner to send a copy of the representation dated 28.6.2016 along with a copy of this order to the first 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 first respondent is directed to consider the said representation seeking terminal benefits and pass appropriate orders, on merits and in accordance with law and also based on

the recommendation made by the third respondent vide proceedings in RC No.001714/ B2/2015 dated 7.8.2015, within a period of four weeks thereafter. The writ petition is disposed of accordingly. No costs.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

sbi

To

- 1 The Principal Accountant
General Accounts and Entitlements 261
Anna Salai Chennai-18.
- 2 The Director Collegiate
Education College Education Department
Chennai-6.
- 3 The Joint Director of
Collegiate Education Dharmapuri Region
Dharmapuri-638 705.
- 4 The District Collector
Dharmapuri District Dharmapuri.

+1cc to Mr.Saravana Sathishkumar, Advocate, S.R.No.66530
+1cc to the Government Pleader, S.R.No.67124

ssi (CO)
md(02/12/2016)

W.P.No. 40406 of 2016