

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.02.2016

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

W.P.No.5470 of 2016

M.Valarmathi

.. Petitioner

-vs-

1. The Secretary
Department of Tamil Development
and Information
Government of Tamil Nadu
Secretariat, St.George Fort
Chennai 600 009

2. The Director
International Institute of Tamil Studies
C.P.T.Campus
Tharamani
Chennai 600 113

.. Respondents

Petition under Article 226 of the Constitution of India, praying for the issue of a Writ of Mandamus, directing the second respondent to consider the petitioner's representation dated 26.01.2016 to pay the interest for the delayed payment of retirement benefits such as Gratuity, Commutation, Arrears of Pension, benefit of earned and unearned leave.

For Petitioner :: Mr.A.Nagarathinam

For Respondents :: Mr.R.Vijayakumar
Additional Government Pleader

ORDER

Mrs.M.Valarmathi, who was serving as Associate Professor in the second respondent institute, after completing 25 years of service, retired from service with effect from 30.4.2014 and she is said to have been paid only with the retirement benefit of Rs.7,73,197/- on 30.4.2014 by the second respondent towards provident fund. Again on 20.2.2015, she was paid with a sum of Rs.10,00,000/- towards gratuity, a sum of Rs.7,28,981/- towards commutation and a sum of Rs.3,38,133/- towards arrears of pension. She was also paid with a sum of Rs.11,91,300/- towards the benefit of earned and unearned leave on 20.10.2015.. Since

the second respondent has failed to disburse the retirement benefits on the date of retirement itself, there has been a delay of 295 days in the payment of gratuity, commutation and pension and a delay of 536 days in the payment of earned and unearned leave benefits. Therefore, she has made a representation on 26.1.2016 for payment of interest on the belated payment of the retirement benefits. As the same has not been considered, she has come to this Court.

2. Mr.R.Vijayakumar, learned Additional Government Pleader accepts notice on behalf of the respondents.

3. This Court, considering the limited prayer sought for by the petitioner, without going to the merits of the matter, hereby directs the second respondent to consider and dispose of the representation of the petitioner dated 26.1.2016 in accordance with law within a period of six weeks from the date of receipt of a copy of this order. The writ petition stands disposed of accordingly. No costs.
ss

-s/d-

Assistant Registrar(CS-V)

True Copy

Sub-Assistant Registrar

To

1. The Secretary to Government
Department of Tamil Development
and Information
Secretariat
Chennai 600 009
2. The Director
International Institute of Tamil Studies
C.P.T.Campus
Tharamani
Chennai 600 113

+ 1 cc to Mr.A.Nagarathinam, Advocate SR 9467

+ 1 cc to Govt.Pleader SR 9658

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W.P.No.5470 of 2016