



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED :15.06.2016

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THE HONOURABLE MR.JUSTICE T.RAJA

W.P(MD)No.6209 of 2015

K.Sundararaj

.. Petitioner

vs.

1. The Principal Account General,
O/o.the Principal Account General,
Accounts and Entitlements, Tamil Nadu,
Teynampet, Annasalai,
Chennai - 600 018.
2. The Regional Joint Directorate of
Collegiate Education,
Madurai Region,
No.30, Vaidyanatha Iyer Street,
Shenoy Nagar, Madurai-1.
3. The Treasury Officer,
(DCRG),
Virudhunagar,
Virudhunagar District.
4. Rajapalayam Rajus' College
Governing Council,
Rep. By its Secretary,
Rajapalayam Rajus' Mahumai
Common Fund Building,
Rajapalayam,
Virudhunagar District.

.. Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Mandamus directing the respondents herein to disburse all monetary benefits, particularly DCRG amount which are entitled to the petitioner except pension in view of attaining superannuation from service as a Associate Professor retired on 31.05.2014 while employed in the fourth respondent college by considering the representation of the petitioner, dated 14.02.2015 within a stipulated time as that may be fixed by this Honourable Court.



For Petitioner : Mr.A.Saravanan
For R-1 : Mr.P.Gunasekaran
For R-2 & R-3 : Mr.T.R.Janarthanan,
Additional Government Pleader
For R-4 : Mr.T.Cibi Chakraborty

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ORDER

The petitioner Mr.K.Sundararaj, who retired from service on 31.05.2014 was not disbursed with the monetary benefits, particularly, DCRG amount. Therefore, he gave a representation to the respondents on 14.02.2015 stating that while he was serving as Associate Professor in the fourth respondent Government aided college, was allowed to retire from service on reaching the age of superannuation with effect from 31.05.2014. The fourth respondent has also issued the relieving order to the petitioner. But, for the reasons best known to the respondents, they have not come forward to disburse the retiral benefits to the petitioner. Hence, the petitioner has come to this Court seeking a direction to the respondents herein to disburse all the monetary benefits, particularly, DCRG amount which are entitled to the petitioner except pension, in view of his superannuation on 31.05.2014.

2. Mr.P.Gunasekarn, learned counsel appearing for the first respondent submitted that the first respondent has disbursed all the dues to the petitioner.

3. The learned counsel appearing for the fourth respondent submitted that proposal was sent to the second respondent Regional Joint Director of Collegiate Education, Madurai Region, dated 24.11.2014. However, on receipt of the same, clarification was sought for on 15.04.2015 and all the informations were also furnished by resubmitting the proposal on 14.08.2015.

4. Mr.T.R.Janarthanan, learned Additional Government Pleader appearing for the respondents 2 and 3 placing on record a letter of the Joint Director of Collegiate Education, Madurai, dated 29.07.2015, submitted that during the pendency of the Writ Petition, DCRG bill for a sum of Rs.10,00,000/- was presented in the Sub-Treasury Office, Rajapalayam along with the DCRG authorisation of the Accountant General (A & E), Chennai - 600018.

5. Rejoinder of the petitioner is that, till now, there is no clue from the respondents whether they have processed for disbursement of S.P.F, Gratuity, Encashment of Earned Leave for 235 days and Encashment of Leave on Private Affairs for 90 days.

6. Heard the submissions made on either side and perused the materials available on records.

7. It is seen that a fresh proposal was submitted by the fourth respondent college to the second respondent on 14.07.2015 . In

view of the same, the second respondent is directed to look into this matter and disburse the afore mentioned retiral benefits, within a period of five weeks from the date of receipt of a copy of this order.

8. With the above direction, the Writ Petition is disposed of.
No Costs.

Sd/-
Assistant Registrar (Records)

/True Copy/

Sub Assistant Registrar

To

1. The Principal Account General,
O/o.the Principal Account General,
Accounts and Entitlements, Tamil Nadu,
Teynampet, Annasalai,
Chennai - 600 018.
 2. The Regional Joint Directorate of
Collegiate Education,
Madurai Region,
No.30, Vaidyanatha Iyer Street,
Shenoy Nagar, Madurai-1.
 3. The Treasury Officer,
(DCRG),
Virudhunagar,
Virudhunagar District.
- + 1 CC TO MR.A.SARAVANAN, ADVOCATE IN SR No. 30609/16
+ 1 CC TO MR.P.GUNASEKARAN, ADVOCATE IN SR No. 31065/16
+ 1 CC TO MR.T.CIBI CHAKRABORTHY, ADVOCATE IN SR No. 31076

PM
TE/PEK/ : 30/06/2016 : 3P/7C

W.P. (MD)No.6209 of 2015
15.06.2016