



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 20.09.2016

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THE HON'BLE Dr.JUSTICE S.VIMALA

W.P(MD) No.17811 of 2016

A.Iyadurai

... Petitioner

-vs-

- 1.The Registrar of Co-operative Societies,
No.170, Periyar E.V.R.High Road,
Kilpauk,
Chennai - 10.
- 2.The Financial Advisor/Chief Accounts Officer,
O/o.the Registrar of Cooperative Societies,
No.170, Periyar E.V.R.High Road,
Kilpauk,
Chennai - 10.
- 3.The Accountant General (A & E)
Pension 27 Section,
O/o.the Principal of Accountant General (A & E),
No.61, Anna Salai, Thenapet,
Chennai - 600 018.
- 4.The Treasury Officer,
Pay & Accounts Officer,
South,
Chennai - 600 035.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the 2nd Respondents to present the bill of the Death Cum Retirement Gratuity (DCRG) a Sum of Rs.3,30,867/- in the light of revalidation of the authorization given by the 3rd respondent in his proceedings No.P27/12714260/3/PPONo.R2714260/COD dated 09.01.2015 and proceedings in AG(A AND E)/PEN29/1/2014-15/23370/37546 dated 01.08.2016 with interest of 12% in terms of Rule 45-A of the Tamil Nadu Pension Rules 1978 to the 4th respondent for honoring the same by considering the petitioner's representations dated 18.05.2016 and 16.08.2016.



For Petitioner : Mr.C.Venkateshkumar
M/s.Ajmal Associates

For RR - 1, 2 & 4 : Mr.T.S.Mohammed Mohideen
Government Advocate

For R - 3 : Mr.P.Gunasekaran
Standing counsel

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O R D E R

This writ petition has been filed for the issuance of a writ of mandamus, directing the second respondent to present the bill of the Death Cum Retirement Gratuity (DCRG) for a Sum of Rs.3,30,867/- in the light of revalidation of the authorization given by the third respondent by the proceedings dated 09.01.2015 and 01.08.2016 with interest at the rate of 12% in terms of Rule 45-A of the Tamil Nadu Pension Rules 1978 to the fourth respondent, by considering the petitioner's representations dated 18.05.2016 and 16.08.2016.

2.Heard Mr.C.Venkateshkumar, learned counsel appearing for the petitioner; Mr.T.S.Mohammed Mohideen, learned Additional Government Pleader, who takes notice for the respondents 1, 2 and 4 and Mr.P.Gunasekaran, learned counsel who takes notice for the third respondent. By consent, the writ petition itself is taken up for final disposal at the admission stage.

3.The case of the petitioner is that he retired from service on 30.01.2015 as Senior Inspector of Cooperative Societies. After his retirement, the third respondent has authorised to pay DCRG amount by his proceedings dated 09.01.2015. Therefore, the petitioner has preferred a representation dated 18.05.2016 to the first respondent to release DCRG amount, based on the authorisation given by the third respondent. The first respondent has also, by his proceedings dated 05.02.2015, issued certificates of "no charge pending" and "no due certificate". Despite the authorisation given by the third respondent and the two certificates issued by the first respondent, no steps have been taken to release the DCRG amount. Hence, the petitioner is before this Court with the aforesaid prayer.

4.There is an assurance on the part of the respondents to consider the representation of the petitioner dated 18.05.2016.

5.Under such circumstances, the respondents are directed to consider the representation submitted by the petitioner on 18.05.2016 and pass appropriate orders on merits and in accordance with the law. The respondents are directed to comply with the order within a period of eight weeks from the date of receipt of a copy of this order.



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

Sd/-

Assistant Registrar(AE)

/True Copy/

Sub Assistant Registrar

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To

1.The Registrar of Co-operative Societies,
No.170, Periyar E.V.R.High Road,
Kilpauk,
Chennai - 10.

2.The Financial Advisor/Chief Accounts Officer,
O/o.the Registrar of Cooperative Societies,
No.170, Periyar E.V.R.High Road,
Kilpauk,
Chennai - 10.

3.The Accountant General (A & E)
Pension 27 Section,
O/o.the Principal of Accountant General (A & E),
No.61, Anna Salai, Thenapet,
Chennai - 600 018.

4.The Treasury Officer,
Pay & Accounts Officer,
South,
Chennai - 600 035.

+1cc to M/s Ajmal Associates, Advocate Sr.No. 53685

+1cc to Spl.Government Pleader Sr.No. 54162

JAM/20.10.16/EM-MPA/3p-7c

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