



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 03.02.2016

CORAM :

THE HONOURABLE MRS.JUSTICE PUSHPA SATHYANARAYANA

Writ Petition (MD) No.2427 of 2016

WEB COPY

A.L.Manimegalai

... Petitioner

Vs.

The Director of Medical and Rural
Health Services,
Teynampet,
Chennai 600 006.

... Respondent

Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, directing the Respondent seeking provisional pension provisional gratuity and terminal leave salary dated 26.09.2014 and 15.04.2015 within a time frame that may be fixed by this Court.

For Petitioner : Ms.D.Geetha
For Respondent : Mr.R.Anand Raj,
Government Advocate

ORDER

The petitioner has come up with the above writ petition seeking for the issue of a writ of mandamus to direct the respondent to grant provisional pension, provisional gratuity and terminal leave salary by considering his representations dated 26.09.2014 and 15.04.2015.

2.Heard the learned counsel appearing for the petitioner and Mr.R.Anand Raj, learned Government Advocate who takes notice for the respondent. By consent, the writ petition itself is taken up for final disposal at the admission stage.

3.The petitioner was a Chief Civil Surgeon and permitted to retire from service on 30.05.2014. However, there seems to be some dispute with regard to re-fixation of salary which is subjudice in W.P (MD)No.10515 of 2014. While so, the petitioner has now sought for payment of her provisional gratuity and terminal leave salary etc., and therefore, he submitted representation to the respondent on 15.04.2015 in this regard. Since no order has been passed, the petitioner has come up with the above writ petition.

4.According to the petitioner, she has obtained an order of injunction restraining the respondents from making any recovery from her in the above said writ petition.

5.Considering the fact that the petitioner has been permitted to retire as early as on 30.05.2014, the respondent shall consider the payment of provisional pension and other terminal benefits subject to the result of the writ petition in W.P(MD)No.10515 of 2014 and pass appropriate orders on merits and in accordance with law, within a period of four weeks from the date of receipt of a copy of this order. No costs.



6. With the above direction, the writ petition is disposed of. No costs.

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/True copy/

Sd/-

Assistant Registrar (AS)

Sub Assistant Registrar

To

The Director of Medical and Rural
Health Services,
Teynampet,
Chennai 600 006.

+1 CC to M/S.D.GEETHA, Advocate, SR No.6631
+1 CC to the Special Government Pleader, SR No.6611

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sms

SH/PM-MP:15.02.2016:2P/4C