



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 21.03.2016

CORAM :

WEB COPY

THE HONOURABLE MRS.JUSTICE PUSHPA SATHYANARAYANA

W.P(MD)No.5511 of 2016

S.S.Chandrabose

... Petitioner

Vs.

1.The Principal Secretary,
Municipal Administration and Water Supply Department,
Secretariat, Fort St. George, Chennai - 9.

2.The Director,
The Director of Municipal Administration,
Chepakam, Chennai - 5.

3.The Commissioner,
Madurai City Municipal Corporation,
Aringar Anna Maligai, Madurai - 625 002.

... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus, directing the respondent No.2 to pass appropriate order on the basis of the proposal send by the respondent No.3 in Ma.Ni.5/009215/12 dated 01.04.2015 in the light of the G.O.No.408 dated 25.08.2009 issued by the Finance (Pension) Department, State of Tamilnadu, consequently direct the respondents to pay petitioner's retirement benefits within the time stipulated by this Court on the basis of the representation dated 10.03.2016 within the time stipulated by this Court.

For Petitioner : Mr.R.Alagumani

For Respondents : Mr.T.S.Mohamed Mohideen

Addl. Government Pleader

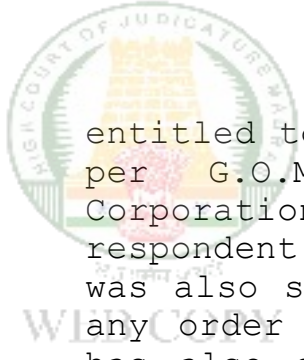
ORDER

Mr.T.S.Mohamed Mohideen, learned Additional Government Pleader takes notice for the respondents. By consent of the learned counsel appearing on either side, the writ petition is taken up for final disposal at the stage of admission itself.

2.Heard the learned counsel appearing on either side.

<https://hcservices.ecourts.gov.in/hcservices/>

3.The petitioner was an employee of the Madurai Municipality and he retired voluntarily. After retirement, he is



entitled to the retirement benefits including Gratuity, Pension as per G.O.Ms.No.437 dated 23.06.1988. The third respondent Corporation already sent a proposal on 01.04.2015 to the second respondent requesting him to pass appropriate orders. A reminder was also sent on 25.05.2015. The second respondent has not passed any order based on the said proposal till today. The petitioner has also sent a representation dated 10.03.2016 to consider his application with respect to the proposal sent by the third respondent. Since there is no response, the petitioner has filed the present writ petition.

4.Considering the age of the petitioner, who is now 70 years old and considering the fact that the pension proposal was sent by the third respondent to the second respondent long back, the second respondent is directed to consider the proposal sent by the third respondent and pass appropriate orders for paying the retirement benefits of the petitioner within a period of eight weeks from the date of receipt of copy of this order.

5.The writ petition stands disposed of accordingly. No costs.

Sd/-

Assistant Registrar

/True copy/

Sub Assistant Registrar

To,

1.The Principal Secretary,
Municipal Administration and Water Supply Department,
Secretariat, Fort St. George, Chennai - 9.

2.The Director,
The Director of Municipal Administration,
Chepakam, Chennai - 5.

3.The Commissioner,
Madurai City Municipal Corporation,
Aringar Anna Maligai, Madurai - 625 002.

+one cc to M/s.R.Alagumani, Advocate in SR.NO.15876/16
+one cc to M/s.T.S.Mohamed Mohidheen, Advocate in SR.No.15891/16

CM

CSL/SKS-RR/30.03.2016 :2P/6C

W.P(MD)No.5511 of 2016
21.03.2016