

THE HON'BLE SRI JUSTICE A. RAJASHEKER REDDY

WRIT PETITION No.34759 OF 2016

ORDER:

This Writ Petition is filed seeking to declare the action of respondents in not releasing the retirement benefits of the petitioner, as illegal and arbitrary.

2. The grievance of the petitioner is that though he retired from service on 31.05.2016 and submitted all the pension papers, and the Accountant General (A & E) vide proceedings, dated 11.02.2016, addressed the Commissioner and Inspector General of Registration and Stamps (FAC), Telangana, Hyderabad, to clarify certain things, his pension is not yet released. Hence, the present Writ Petition is filed.

3. Heard learned counsel for the petitioner and the learned Government Pleader for Services.

4. Learned Government Pleader for Services produced instructions, dated 21.10.2016, and stated that some irregularities were committed by the petitioner while he was working as District Registrar in Guntur and hence, information is sought for from the State of Andhra Pradesh for taking necessary action to release the pension of the petitioner. However, the same is yet to be received from the Director and Inspector General (Stamps and Registration), Andhra Pradesh, Hyderabad.

5. In the present case, admittedly, as on today, disciplinary proceedings are not initiated against the petitioner and they are only contemplated. Even the Accountant General observed that Rule 51 of the Revised Pension Rules, 1980, provides for payment of anticipatory pension and gratuity, where delay in payment of pension is anticipated.

6. Though the petitioner retired from service, the authorities are not precluded from following the procedure for taking action. In view of the same, there shall be a direction to the respondents to follow Rule 51 of the Revised Pension Rules for payment of anticipatory pension and gratuity. However, this will not preclude the authorities from taking action according to law.

7. With the above direction, the Writ Petition is disposed of. Miscellaneous Petitions, if any, pending in this Writ Petition, shall stand closed. There shall be no order as to costs.

October 24, 2016.
MD

A. RAJASHEKER REDDY, J