

In the High Court of Judicature at Madras

Dated : 20.7.2017

Coram :

The Honourable Mr.Justice NOOTY.RAMAMOHANA RAO

and

The Honourable Mr.Justice M.DHANDAPANI

Writ Petition No.7737 of 2017

S.M.Kuppan

...Petitioner

Vs

1. The Principal District Judge,
Dharmapuri District, Dharmapuri.
2. The District Munsif-cum-Judicial
Magistrate, Pennagaram,
Dharmapuri District.
3. The Principal Accounts General,
(Accounts & Entitlements), Tamil Nadu,
Chennai-18. ...Respondents

PETITION under Article 226 of The Constitution of India
praying for the issuance of a Writ of Mandamus directing the
respondents to disburse the pension and other terminal benefits
of the petitioner within a fixed time frame.

For Petitioner : Mr.M.Selvam
For Respondent-1 : Mr.M.Baskar
For Respondent-2 : Mr.V.Vijay Shankar

ORDER

(Order of the Court was made by NOOTY.RAMAMOHANA RAO,J)

The present writ petition is filed by a Special Grade Senior
Bailiff of the Dharmapuri District Unit. He sought for
directions to the respondents to disburse the pension and other
terminal benefits within a fixed time limit, as the writ
petitioner has retired from service on 31.3.2016.

2. Since more than one year period has already elapsed from the time the writ petitioner has retired and he being a small time employee having worked as a Special Grade Senior Bailiff, we consider it appropriate to fix time limit for securing the settlement of all terminal benefits of the writ petitioner. Let the same be disbursed on or before 4th of October 2017 and compliance should be filed before the Registrar General of this Court on the Administrative Side by the District Unit Head at Dharmapuri.

3. It is time that all the District Unit Heads be reminded by the Registrar General of this Court that pension and other terminal benefits shall be processed within three months prior to the date of retirement, at least and they should be sent upto the Accountant General's office/Pension Disbursing Authority's office, as the case may be and necessary follow up action should be taken. In case the pension and other terminal benefits have not been settled before a maximum of six months' period from the date of retirement, a special report shall be filed by the District Unit concerned before the Registrar General drawing specifically his attention to the reasons for the failure to settle the terminal benefits, so that the Registrar General will be able to take corrective measures.

4. It is a constant cry from the retired employees that their terminal benefits were not settled one way or the other and that they were always made to grope in the dark without being aware as to the reasons and the stage, at which, the papers have been stuck. We do not expect a retired employee to be so cash rich to indulge in fairly expensive litigation by engaging lawyers and litigate in this Court. Therefore, the reasons must be communicated to the concerned individual by the District Head/Chief Administrative Officers of the District Unit as to why pension and other terminal benefits have not been settled and the reasons for such delay. If the reasons are attributable to the employee concerned, he shall be reminded once in every month to rectify the defects.

5. With the above directions, the writ petition stands disposed of. No costs.

Sd/-
Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

RS

To

1. The Principal District Judge, Dharmapuri District, Dharmapuri.
2. The District Munsif-cum-Judicial Magistrate, Pennagaram, Dharmapuri District.
3. The Principal Accounts General, (Accounts & Entitlements), Tamil Nadu, Chennai-18.
4. The District Head/Chief Administrative Officers, The District Unit.
5. The Registrar Judicial, High Court, Madras.
6. Section Officer, writ section, High court
7. The Registrar General, High Court, Madras
8. Section Officer, F Section, High Court, Madras.

+1cc to M/s.M.Selvam, Advocate, S.R.No.51082

+1cc to M/s.V.Vijayshankar, Advocate, S.R.No.51556

WP.No.7737 of 2017

NM (CO)
CU (02/08/2017)



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