

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.10.2017

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

W.P.No.26129 of 2017

J.S.Selvi

.. Petitioner

-vs-

1. The Director

Government Adi Dravidar Welfare Department
Chepauk
Chennai 600 005

2. The District Adi Dravidar Welfare Officer
Vellore, Vellore District

3. The District Collector
Vellore, Vellore District

.. Respondents

Petition under Article 226 of the Constitution of India, praying for the issue of a Writ of Mandamus, directing the respondents to sanction and pay interest at the rate of 12% per annum for the delayed payment of DCRG of Rs.10,00,000/-; commuted value of pension of Rs.4,58,865/-; Earned Leave arrears of Rs.10,385/- and pension arrears of Rs.1,18,328/- as per the decision of the Division Bench of this Court reported in (Government of Tamil Nadu rep. by its Secretary, Revenue Department, Chennai and another vs. Deivasigamani) reported in 2009 (3) MLJ Page No.1 and by considering the petitioner's representation dated 19.08.2017 and to pass orders thereon within a time to be specified by the Hon'ble Court.

For Petitioner :: Mr.S.Mani

For Respondents:: Mr.C.C.Rangarajan
Government Advocate

ORDER

The petitioner, having joined as Secondary Grade Assistant in the Adi Dravidar Welfare Elementary School, Adaiyur on 26.7.82 and promoted as B.T. Assistant on 9.8.2007, retired from service on reaching the age of superannuation on 31.1.2017. However, the respondents came forward to settle the retiral benefits only on 16.8.2017 with a delay of seven months. Therefore, for the belated payment, the petitioner is entitled to receive the interest, in the light of the Division Bench

judgment of this Court in the case of Government of Tamil Nadu represented by its Secretary, Revenue Department, Fort St.George, Chennai and another vs. Deivasigamani), 2009 (3) MLJ 1. In this regard, she has also given a representation on 16.8.2017 followed by another representation on 19.8.2017 and the said representations have not been considered.

2. Putting on notice the learned Government Advocate appearing on behalf of the respondents, this Court hereby directs the respondents to consider and dispose of the pending representations of the petitioner on merit, in the light of the aforementioned Division Bench judgment of this Court, within a period of four weeks from the date of receipt of a copy of this order. The writ petition stands disposed of accordingly. No costs.

Sd/-
Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

ss
To

1. The Director
Government Adi Dravidar Welfare Department
Chepauk
Chennai 600 005
2. The District Adi Dravidar Welfare Officer
Vellore, Vellore District
3. The District Collector
Vellore, Vellore District

+ 1 cc to Mr. S. Mani, Advocate SR.71851
+ 1 cc to Mr. Government Pleader SR.72693

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BR(CO)
EU(08/11/2017)