

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.04.2017

CORAM

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

W.P.No.28708 of 2013

and M.P.No.1 of 2013

Mr.F.Moinuddin ... Petitioner
Vs.

1. The Director of Social Welfare,
Chennai.
2. The Commissioner,
Integrated Child Development Project,
Tharamani, Chennai.
3. The District Programme Officer,
60 feet Road, Teachers Colony,
Erode.
4. The Principal Accountant General, (A&E)
Teynampet, Chennai - 600 006. ... Respondents

Prayer: Petition filed under Article 226 of the Constitution of India to issue an appropriate order, direction or writ, including a Writ of Mandamus directing the respondents to grant the petitioner all the pensionary benefits admissible to him under the Rules, including pension, gratuity, provident fund benefits, leave salary, commutation of pension, arrears of increments and arrears of travelling allowances and all other attendant benefits in respect of his services from the date of his initial appointment on 08.05.1974 till the date of his retirement on 31.01.2004.

For Petitioner : Mr.T.N.Sugesh
For Respondents : Mr.K.Dhanajeyan-for R1 to R3
Special Government Pleader
Mr.S.Balaji - for R4

O R D E R

By consent the writ petition is taken up for final disposal.

2. The petitioner in the affidavit filed in support of this Writ Petition, would aver among other things that he was initially appointed on 08.05.1974 as Junior Assistant in the Cinchona department at Ooty, Nilgirie District. Subsequently, he was promoted and transferred on deputation to the Directorate of Social Welfare at Uthukkottai in Thiruvallur as Assistant on 22.04.1985 and he was promoted to the post of Superintendent. He retired from service on attaining the age of superannuation i.e. on 31.01.2004. He has put up unblemished service and at the time of retirement, there is no disciplinary proceedings against him. The grievance expressed by the petitioner is that though the petitioner retired as early as on 30.01.2004, the respondents have not taken any steps to disburse his pensionary benefits like DCRG, Commutation, T.T.A and arrears of salary and in this regard, he made a representation dated 07.03.2013 to the third respondent. Though, it was received and acknowledged, no response is forthcoming from the respondents. Hence, the petitioner is constrained to file this Writ Petition.

2. Heard the submissions of Mr.T.N.Sugesh, learned counsel appearing for the petitioner and Mr. Mr.K.Dhananjeyan, learned Special Government Pleader accepts notice for the respondents 1 to 3 as well as Mr.S.Balaji, learned counsel accepts notice on behalf of the fourth respondent.

4. Though the petitioner prayed for a larger relief, this Court in the light of facts and circumstances, without going into the merits of the representation permits the petitioner to submit a representation along with copy of this order to the respondents along with a copy of this order, within a period of two weeks from the date of receipt of a copy of this order and on the receipt of the same, the respondents are directed to consider and dispose of the same, on merits in accordance with law and after putting on notice to the persons concerned and pass orders as expeditiously as possible and not later than eight weeks thereafter and communicate the decision to the petitioner as well as to the persons concerned.

5. The writ petition is disposed of accordingly. No costs.
Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

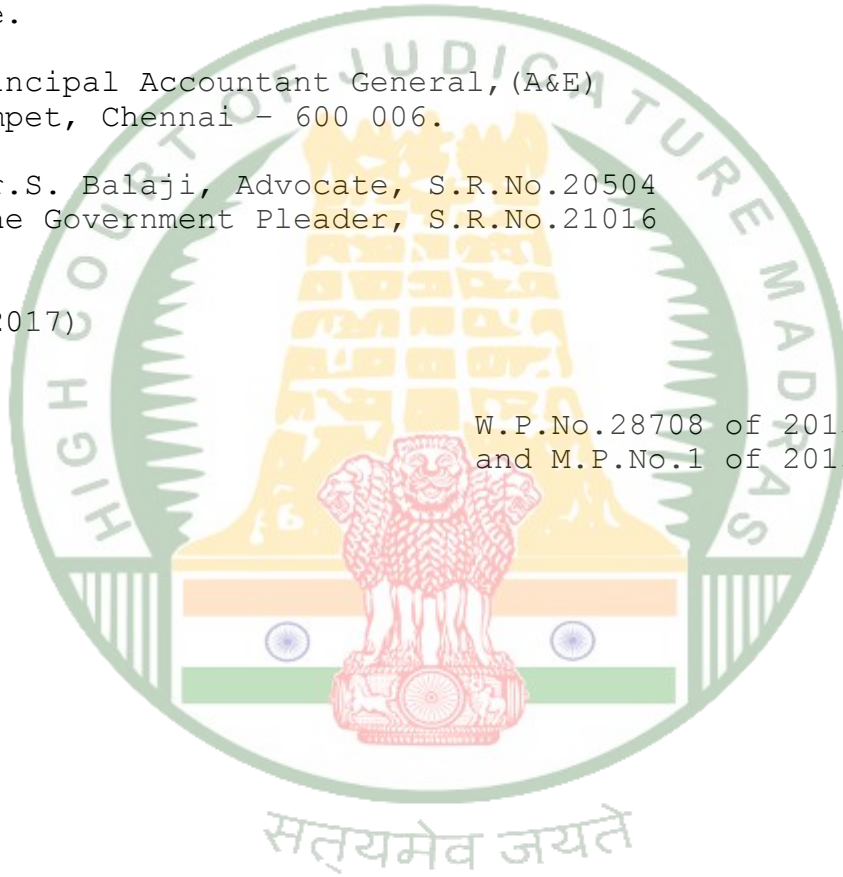
To

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4. The Principal Accountant General, (A&E)
Teynampet, Chennai - 600 006.

+lcc to Mr.S. Balaji, Advocate, S.R.No.20504
+lcc to the Government Pleader, S.R.No.21016

ca(CO)
md(12/04/2017)

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