

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.08.2017

CORAM

THE HON'BLE MR.JUSTICE M.DHANDAPANI

W.P.No.37109 of 2003

and

W.P.M.P.No.45042 of 2003

P.Rajamanohari

..Petitioner

... Vs ...

1. The Secretary to Government,
Labour and Employment Department,
Chennai - 600 009.
2. The Director of Employment and Training,
Chepauk, Chennai - 600 005.
3. The Manager and Correspondent,
The Katpadi Industrial Institute,
Chittoor Road, Katpadi,
Vellore - 7.
4. The Bishop in Vellore,
C.S.I. Vellore Diocese,
No.1-A Officer's Line,
Vellore.

..Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus directing the respondents to pay all the pensionery and terminal benefits of the petitioner's husband late A.Sundararaj, including DCRG, Leave Encashment, Provident Fund, Arrears of Pension from 01.05.1998 to 18.09.2003 arrears of revised pay as per Pay Commission and arrears of family pension with interest at the rate of 12% per annum, which is admissible under the Tamil Nadu Pension Rules with cost.

For Petitioner : Mr.R.Prem Narayan

For RR-1 and 2 : Mrs.K.Bhuvaneswari
Government Advocate

For RR-3 and 4 : Mrs.K.Sheeba
for Paul & Paul

O R D E R

The petitioner has filed this writ petition praying for the issuance of a writ of Mandamus directing the respondents to pay all the pensionery and terminal benefits of her husband late A.Sundararaj, including DCRG, Leave Encashment, Provident Fund, Arrears of Pension from 01.05.1998 to 18.09.2003, arrears of revised pay as per Pay Commission and arrears of family pension with interest at the rate of 12% per annum, which is admissible under the Tamil Nadu Pension Rules with cost.

2. Heard the learned counsel appearing for the petitioner and the learned Government Advocate appearing for respondents 1 and 2 and the learned counsel appearing for respondents 3 and 4.

3. Learned counsel appearing for respondents 3 and 4 filed counter affidavit. Paragraph No.6 of the counter affidavit reads as follows:-

"6. I further submit that the gratuity of the petitioner's husband was calculated to be Rs.1,05,270/- and the same has been settled in favour of petitioner Mrs.Raja Manohari and her son Mr.S.David Rajakumar vide cheque No.764732 dated 13.07.2005 and 764733 dated 13.07.2005 for Rs.52635/- each. These cheques have been received by the petitioner and her son on 28.07.2005 and duly acknowledged by both of them. I further submit that the proposal for the pension has been submitted to the second respondent and we understand that the same was sanctioned and the payments have been made to the petitioner."

4. The stand taken by the learned counsel for respondents 3 and 4 in their counter affidavit at para No.6 is recorded and this Writ Petition is closed. No costs. Consequently, the connected miscellaneous petition is also closed.

Sd/-
Assistant Registrar(CS VIII)

//True Copy//

Sub Assistant Registrar

Jr1

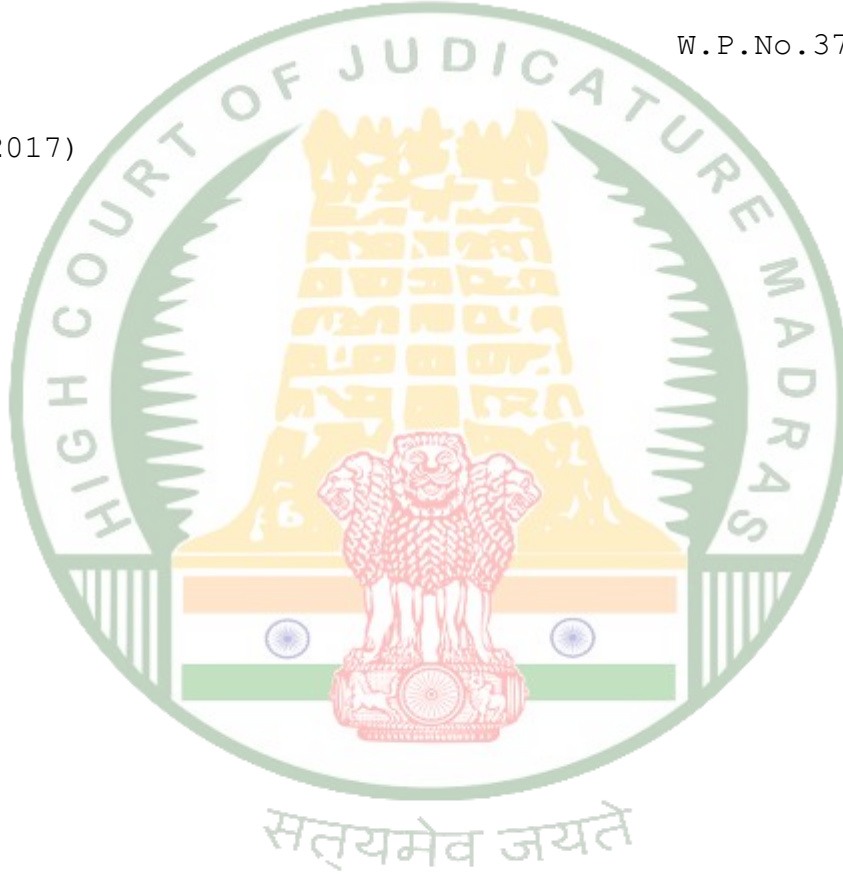
To

1. The Secretary to Government,
Labour and Employment Department,
Chennai - 600 009.
2. The Director of Employment and Training,
Chepauk, Chennai - 600 005.

+lcc to Mr.Paul & Paul, Advocate, S.R.No.60288
+lcc to the Government Pleader, S.R.No.60533

W.P.No.37109 of 2003

KS (CO)
GN(08/09/2017)



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