



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 03.08.2017

CORAM:

THE HONOURABLE MR.JUSTICE T.RAJA

W.P.(MD) No.14457 of 2017

and

W.M.P.(MD) No.11327 of 2017

C.Govindan

.. Petitioner

Versus

1.The Government of Tamil Nadu,
Rep. by its Secretary,
Department of School Education,
Fort St. George,
Chennai - 9.

2.The Director of School Education,
College Road,
Chennai - 06.

3.The Joint Director [Vocational] of School Education,
College Road,
Chennai - 06.

4.The Head Master,
Government Higher Secondary School,
Kattathurai,
Kanyakumari District.

.. Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus directing the respondents to disburse the retirement benefits of the petitioner, such as, Gratuity, Earned Leave, Unearned Leave on Private Affairs, Commutation Pension and all other accrued benefits within a time period that may be stipulated by this Court.

For Petitioner : Mr.T.Lajapathi Roy

For Respondents : Mr.R.Karthikeyan

Additional Government Pleader

O R D E R

Mr.R.Karthikeyan, learned Additional Government Pleader

https://hservices.courts.gov.in/heservice/ makes an order for the respondents. By consent, the Writ Petition is taken up for final disposal.



2.The petitioner was appointed as Vocational Instructor and posted at Government Higher Secondary School, Kattathurai, Kanyakumari District. He retired from service on 31.03.2017. But, his retiral benefits viz., gratuity, commuted value of pension, earned leave salary, unearned leave on private affairs and all other monetary benefits, till date, have not been disbursed. Therefore, he has given several representations to the respondents. Since the said representations have not been considered by the respondents, the petitioner has filed the present Writ Petition.

3.The learned counsel appearing for the petitioner by drawing the notice of this Court to the proceedings issued by Assistant Accounts Officer, dated 12.04.2017, submitted that when the commuted value of pension has been sanctioned, the fourth respondent has not come forward to release the pensionary benefits of the petitioner. In this regard, the petitioner has given various representations to the respondents to disburse all the retiral benefits, viz., gratuity, commuted value of pension, earned leave salary, unearned leave on private affairs and all other monetary benefits. But, till date, the same have not been looked into by the respondents, therefore, he sought a direction should be issued to the respondents to consider the same.

4.Mr.R.Karthikeyan, learned Additional Government Pleader appearing for the respondents seeks four weeks time to the respondents to consider the representation of the petitioner.

5.Recording the abovesaid submission made by the learned Additional Government Pleader appearing for the respondents, the fourth respondent is directed to consider the representations of the petitioner, the last of which was dated 15.07.2017, and pass appropriate orders on merits and in accordance with law, within a period of four weeks from the date of receipt of a copy of this order.

6.With the above direction, this Writ Petition is disposed of. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-
Assistant Registrar(Writs)

/True Copy/

Sub-Assistant Registrar



To

1.The Secretary to Government of Tamil Nadu,
Department of School Education,
Fort St. George,
Chennai - 9.

2.The Director of School Education,
College Road,
Chennai - 06.

3.The Joint Director [Vocational] of School Education,
College Road,
Chennai - 06.

4.The Head Master,
Government Higher Secondary School,
Kattathurai,
Kanyakumari District.

+One cc to Mr.T.Lajapathi Roy, Advocate, SR.No.70331

+One cc to The Special Government Pleader, SR.No.70873

smn2

RL/7C/2P/JC/SAR2/17/8/2017

W.P.(MD) No.14457 of 2017

03.08.2017