



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 11.08.2017

CORAM

THE HONOURABLE MR. JUSTICE T. RAJA

W.P (MD) No.15093 of 2017

WEB COPY

Senthattikalai

... Petitioner

-vs-

1.The Principal Chief Conservator Forest,
Chennai- 15.

2.The District Forest Officer,
Tirunelveli.

3.The Accountant General,
Anna Salai, Teynampet,
Chennai - 18.

... Respondents

Prayer: Writ Petition filed under Article 226 of Constitution of India, praying for issuance of a Writ of Mandamus, directing the respondents to disburse all the terminal monetary benefits with eligible pension at the earliest.

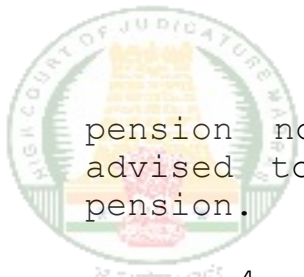
For Petitioner	: Mr.K.P.Narayanakumar
For Respondents 1 and 2	: Mr.D.Muruganantham, Additional Government Pleader
For Respondent No.3	: Mr.P.Gunasekaran

O R D E R

By consent of both sides, this writ petition itself is taken up for final disposal.

2. Heard the learned counsel for the petitioner, learned Additional Government Pleader, who takes notice for the respondents 1 and 2 and the learned standing counsel, who takes notice for the third respondent.

3. The petitioner was permitted to retire from service by order dated 31.05.2017, making it clear that the disciplinary proceedings pending against him shall be continued under Rule 9 of the Tamil Nadu Pension Rules, 1978. But the said order does not show anything about the payment of provisional pension. As a matter of right, the petitioner is entitled to get the provisional pension till the departmental proceedings going to be initiated under Rule 9 of the Tamil Nadu Pension Rules, 1978, comes to an end. Even as the minimum retiral benefits including provisional



pension not being paid to the petitioner, the petitioner is advised to come to this Court for the payment of provisional pension.

4. Mr.P.Gunasekaran, appearing for the third respondent, fairly submitted that petitioner is entitled to receive her provisional pension and the same is looked into expeditiously.

5. Mr.D.Muruganatham, learned Additional Government Pleader, also fairly agreed with the learned counsel appearing for the Accountant General that the petitioner should be paid with provisional pension as per the Tamil Nadu Pension Rules and the same shall be disbursed within a period of two weeks.

6. Recording the statement of the learned counsel for the respondents, the third respondent is hereby directed to disburse his provisional pension including arrears for the period, he was not paid. The respondents are also directed to complete the enquiry as proposed in the order dated 31.05.2017 within a period of four months from the date of receipt of a copy of this order.

7. This writ petition is disposed of with the above directions. No costs.

Sd/-

Assistant Registrar(Records)

/True Copy/

Sub Assistant Registrar

To

1.The Principal Chief Conservator Forest, Chennai- 15.

2.The District Forest Officer,Tirunelveli.

3.The Accountant General,
Anna Salai, Teynampet,Chennai - 18.

+1cc to M/S.K.P.NARAYANA KUMAR, Advocate SR.No.72214

+1cc to M/S.P.GUNASEKARAN, Advocate SR.No.72219

+1cc to Special Government Pleader, SR.No. 72581

Mrn/RR

MAS/MR-KKR/SAR2:22.09.2017:2P-7C

W.P(MD)No.15093 of 2017

11.08.2017