

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 24-08-2018

CORAM

THE HONOURABLE MR. JUSTICE S.M.SUBRAMANIAM

W.P.No.14798 of 2017

C.Periyannan

.. Petitioner

Vs.

- 1.The State of Tamil Nadu,
Represented by the Secretary to Government,
Animals Husbandry, Dairying and Fisheries
(MP.II) Department,
Fort Saint George,
Chennai.
- 2.The Employees Provident Fund Regional Officer,
Trichy-8.
- 3.The Special Officer,
TND-89, Thottapadi Milk Producers,
Co-operative Society Ltd.,
Thottapadi Post,
Nainarpalayam Via.,
Kallakurichi Taluk,
Villupuram District.
- 4.The Managing Director,
The South Arcot District,
Co-operative Milk Producers Union Ltd.,
Villupuram-605 602.

.. Respondents

PRAYER: Writ petition is filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus, directing the respondents to sanction the Ex-gratia pension amount of Rs.3,500/- with interest at the rate of 18% for delayed payment as per G.O.(Ms.) No.186, Animal Husbandry, Dairying and Fisheries (MP.II) Department, dated 16.12.2016, by considering the petitioner's representation dated 28.3.2017.

For Petitioner	:	Ms.K.Jenitha
For Respondents-1&3	:	Mr.L.P.Shanmugasundaram, Special Government Pleader (Co-op.).
For Respondent-2	:	No Appearance
For Respondent-4	:	Mr.K.N.Pandian

O R D E R

The relief sought for in this writ petition is for a direction to direct the respondents to sanction the Ex-gratia pension amount of Rs.3,500/- with interest at the rate of 18% for delayed payment as per G.O.Ms.No.186, Animal Husbandry, Dairying and Fisheries (MP-II) Department, dated 16.12.2016 by considering the petitioner's representation dated 28.3.2017.

2. The learned counsel for the writ petitioner states that the writ petitioner was employed as a Secretary on 13.2.2010 in Thottapadi Village Milk Producers Co-operative Society and thereafter, promoted as a Clerk in the Milk Collection Centre at Thottapadi. The writ petitioner was allowed to retire from service on 30.8.2011. The writ petitioner has made contribution to the Employees Provident Fund and as per the scheme, the ex-gratia pension, as applicable, has not been settled in favour of the writ petitioner. In this regard, the writ petitioner has submitted a representation to the second respondent on 28.3.2017 and the same is yet to be considered.

3. Thus, without going into the merits of the matter, the second respondent is directed to consider the representation submitted by the writ petitioner on 28.3.2017 and pass orders on merits and in accordance with law, within a period of twelve weeks from the date of receipt of a copy of this order. The writ petitioner is directed to enclose the copy of the representation and the relevant documents, if any, along with the order passed in this writ petition.

4. Accordingly, the writ petition stands disposed of. However, there shall be no order as to costs.

Sd/-

सत्यमेव जयते
Assistant Registrar (CS-IV)

//True Copy//

Sub Assistant Registrar

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To

- 1.The Secretary to Government,
State of Tamil Nadu,
Animals Husbandry, Dairying and Fisheries
(MP.II) Department,
Fort Saint George,
Chennai.
- 2.The Employees Provident Fund Regional Officer,
Trichy-8.
- 3.The Special Officer,
TND-89, Thottapadi Milk Producers,
Co-operative Society Ltd.,
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Villupuram District.
- 4.The Managing Director,
The South Arcot District,
Co-operative Milk Producers Union Ltd.,
Villupuram-605 602.

+ 2 ccs to Mr. K.N.Pandian, Advocate Sr.58094
+ 1 cc to M/s. A. Malath Devapriyam, Advocate Sr.58291

WP 14798 of 2017

(CO-IV)
EU(03/09/2018)

सत्यमेव जयते

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