

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23.04.2018

CORAM:

THE HONOURABLE Dr.JUSTICE S.VIMALA

W.P.No.20149 of 2004

S.Seshachalam

... Petitioner

versus

The Development Commissioner and
Secretary to Government,
Finance Department,
Chennai - 600 009.

... Respondent

Writ Petition filed under Article 226 of the Constitution of India, seeking for the issuance of writ of mandamus, to direct the respondent to sanction and disburse the balance withheld pensionary benefits of 60% due to be paid to the petitioner including Commutation, DCRG and Encashment of leave etc., with interest at 12% till the date of actual payment and other consequential monetary benefits.

For Petitioner : No appearance

For Respondent : Mr.R.S.Selvam,
Government Advocate

ORDER

This Writ Petition has been filed by the petitioner, seeking for the issuance of writ of mandamus, directing the respondent to sanction and disburse the withheld pensionary benefits of 60% due to be paid to him including Commutation, DCRG and Encashment of leave etc., with interest at 12% till the date of actual payment and other consequential monetary benefits.

2. The learned Government Advocate appearing for the respondent has produced three Government Orders, viz., a) G.O.Ms.No.411, dated 31st July 2004, b) G.O.Ms.No.412, dated 31st July 2004 and c) G.O.Ms.No.413, dated 31st July 2004, stating that all these three Government Orders pertain to the arrears for the period 2004-2005, 2005-2006 and 2006-2007. According to these G.Os., 60% arrears of commutation in respect of employees, who retired from 01.01.1996 to 31.03.1998, will be paid in cash, in three equal instalments with interest as applicable to

General Provident Fund, starting from Financial Year 2004-2005. He has further submitted that as the petitioner retired from service on 31.10.1997, all these three G.Os. are applicable to the petitioner and all the claim has been paid to him and hence, nothing survives for adjudication.

3. Recording the said submission made by the learned Government Advocate appearing for the respondent, the writ petition is closed. No costs.

Sd/-
Assistant Registrar(CS V)

//True Copy//

Sub Assistant Registrar

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To

The Development Commissioner and
Secretary to Government,
Finance Department,
Chennai - 600 009.

+1cc to the Government Pleader, S.R.No.30343

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GJII(CO)
CS/10/08/18



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