

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13.07.2018

CORAM

THE HONOURABLE MR. JUSTICE V.PARTHIBAN

W.P.No.17550 of 2018

S.Jayaraman

.. Petitioner

Vs.

The Managing Director,
Chennai Metro Water and Sewage Board,
Chennai-600 002.

... Respondent

Petition filed under Article 226 of The Constitution of India praying for issuance of a Writ of Mandamus directing the respondent to pass orders on the representation dated 17.11.2017, seeking settlement of retirement and pensionary benefits on merits and within a time to be stipulated by this Court.

For Petitioner ... Mr.L.Chandrakumar

For Respondents ... Mr.N.Ramesh

ORDER

The petitioner has approached this Court, seeking the following relief:-

"To issue a Writ of Mandamus directing the respondent to pass orders on the representation dated 17.11.2017, seeking settlement of retirement and pensionary benefits on merits and within a time to be stipulated by this Court.

2. The petitioner was appointed in 1978 in the respondent Board. After rendering 38 years of unblemished record of services in various capacities, he reached the age of superannuation on 30.06.2006. He was allowed to retire without prejudice to disciplinary proceedings and audit objections. According to the petitioner, at the time of his retirement, he was granted 75% of pension and 50% of DCRG after three years of his retirement. The remaining amount of retiral benefits are withheld in view of the disciplinary action pending against him.

3.It appears that by further proceedings, dated 08.06.2005, the charges against the petitioner were dropped. For payment of entire retiral benefits due to him, the petitioner made a representation, dated 17.11.2017, since there is no legal impediment for settlement of entire dues to him. The representation said to have been made on 17.11.2017 to the respondent has not been responded. Therefore, the petitioner is seeking for issuance of Writ of Madamus.

4.Mr.N.Ramesh, learned Standing Counsel on record entered appearance and made his submissions.

5.Considering the limited prayer sought for in the writ petition, this matter is taken up for final disposal and the following order is passed:

The respondent Board is directed to dispose of the representation dated 17.11.2017 towards settlement of retiral benefits due to the petitioner on merits and in accordance with law and the respondent Board is directed to pass appropriate orders in this regard, within a period of eight 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.

Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

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To

The Managing Director,
Chennai Metro Water and Sewage Board,
Chennai-600 002.

+1cc to Mr.L.CHANDRAKUMAR, Advocate, S.R.No.46274
+1cc to Mr.N.RAMESH, Advocate, S.R.No. 46050

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VSN ii(CO)
TR(07/08/2018)