

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 02.08.2018

Coram

The Hon'ble Mr.Justice Satrughana Pujahari

Writ Petition No.19778 of 2018

N.Krishnan

...Petitioner

Vs.

1. The Secretary to Government,
Highways Department,
Secretariat, Chennai - 600 009.

2. The Chief Engineer,
The Tamil Nadu Highways Department,
Chepauk, Chennai - 600 005.

...Respondents

Writ Petition filed under Article 226 of the Constitution of India, for issuance of Writ of Mandamus directing the first respondent to consider the representations of the petitioner dated 25.05.2018, 29.06.2018 and 16.07.2018 for sanction of interest on all the belated payments of terminal benefits in the light of the orders issued by the Hon'ble Supreme Court in the case of S.K.Dua Vs State of Haryana (2008 (3) SCC 44), within a reasonable period as may be fixed by this Hon'ble Court.

For Petitioner : Mr. T.Ranganathan

For Respondents : Mrs. R.Janaki
Additional Government Pleader

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O R D E R

Heard Mr.T.Ranganathan the learned counsel appearing for the petitioner and Mrs. R.Janaki the learned Additional Government Pleader who accepts notice on behalf of the respondents. With consent of the learned counsel on either side, the Writ Petition is taken up for disposal.

2. The grievance of the petitioner, in this Writ Petition is that, though there was belated payment of pension and other retiral benefits to him, but no interest on the same has been granted even if he is legally entitled to for the same. In this regard, though he has been making representations to the first respondent from 25.05.2018 and the last one was dated 16.07.2018, still the same have not been attended to. Hence, he has filed this Writ Petition challenging such inaction, seeking a direction to the first respondent to dispose of such representations within a stipulated period.

3. Regard being had to the facts and the submissions made, especially, considering the date the representation was made, though it cannot be said that the respondent is guilty of inaction, for which, a writ of mandamus can be issued to him, but, in view of the fact that the representation being made by a pensioner, it is hope and trust that the first respondent shall dispose of such representation made within a reasonable period, preferably, within a period of six weeks from the date of receipt of a copy of this order.

4. With the aforesaid order, the Writ Petition stands disposed of. No costs.

Sd/-
Deputy Registrar

//True Copy//

Sub Assistant Registrar

sd/mrm
To

1. The Secretary to Government,
Highways Department,
Secretariat, Chennai - 600 009.

2. The Chief Engineer,
The Tamil Nadu Highways Department,
Chepauk, Chennai - 600 005.

+1cc to the Government Pleader Sr.53268

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srg 6/9/2018