

IN THE HIGH COURT OF JUDICATURE AT MADRAS**DATED : 06.04.2018****CORAM****THE HONOURABLE MR.JUSTICE M.DHANDAPANI****W.P.No.23623 of 2006****And****M.P.No.1 of 2006**

V.Mathuram

... Petitioner

Vs.

1.The District Collector,
Chennai District,
Chennai.

2.The Tahsildar
Mambalam Guindy Taluk,
K.K.Nagar, Chennai – 600 078.

3.The chief Engineer,
(Buildings), Public Works Department,
Chepauk, Chennai – 600 005.

4.The Executive Engineer,
Southern Region,
Public Works Department,
Chepauk, Chennai – 600 005.

... Respondents

Prayer:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents 1 and 2 to disburse the service benefits namely D.C.R.G., Gratuity to the petitioner with 18% interest per annum.

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For Petitioner : Mr.E.M.K.Yaswant Rao
For Respondents : Mr.R.Govindasamy
Special Government Pleader

ORDER

The petitioner has filed this writ petition seeking issuance of Writ of Mandamus directing the respondents 1 and 2 to disburse the service benefits namely D.C.R.G., Gratuity to the petitioner with 18% interest per annum.

2.The petitioner had worked in the Madras Collectorate Revenue Department for the past 31 years and retired voluntarily from service on 31.07.2005. While he was in service he was allotted a residential quarters in the month of April, 1999 and he along with his family are residing in the said quarters by paying rent to the Public Works Department by remitting the rent from his monthly salary. There is no default in paying the rent. After voluntary retirement, the Public Works Department gave three months time to vacate the quarters and they had asked the petitioner to pay 1-1/2 times the actual rent for three months from 01.08.2005 to 31.10.2005. Accordingly he paid the said rent by way of demand draft.

3.The petitioner further submits that though he had retired from

service voluntarily on 31.07.2005 itself, his service benefits like General Provident Fund, Commutation of Pension, D.C.R.G., Gratuity and other service benefits have not been paid to him. Hence, the petitioner made representation to the respondents on 13.07.2006, however, acknowledgement for the same has not been annexed in the typed set of papers.

4.The learned counsel appearing for the petitioner would submit that without going into the merits of the case, this Court may grant liberty to the petitioner to make a fresh representation to the respondents.

5.Heard both sides.

6.In view of the request made by the learned counsel appearing for the petitioner, this Court grants liberty to the petitioner to make a fresh representation to the respondents within a period of one week from the date of receipt of a copy of this order and on receipt of such representation, the respondents shall pass orders on the same, in accordance with law and without being influenced by any of the observation made in this order, within a period of twelve weeks thereafter.

7. With the above observation, the writ petition is disposed of.
No costs. Consequently, the connected miscellaneous petition is also closed.

06.04.2018

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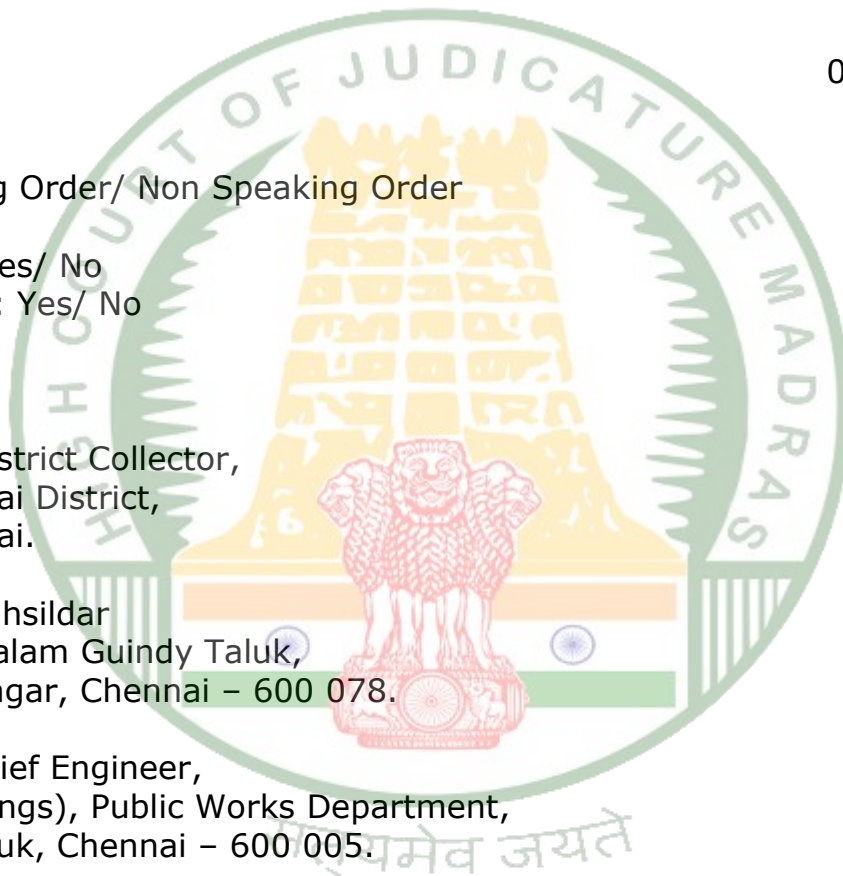
Speaking Order/ Non Speaking Order

Index: Yes/ No

Internet: Yes/ No

To

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M.DHANDAPANI,J.
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