

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.11.2018

CORAM

THE HON'BLE DR.JUSTICE S.VIMALA

W.P.No.31338 of 2018

K.Duraisamy

... Petitioner

Vs

1.The Principal Chief Conservator of Forests
Office at Panagal Maligai
Saidapet, Chennai - 600 015.

2.The District Forest Officer
Dindigul District.

3.The Accountant General of Tamil Nadu
DMS Compound, Teynampet,
Chennai-18.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India seeking a writ of Mandamus directing the third respondent to pass appropriate orders for sanctioning DCRG, commutation pension and other terminal benefits payable to the petitioner on his retirement on 31.12.2012 on the basis of the proposals sent by the second respondent on 25.07.2017, 04.10.2017, 18.01.018 and 05.05.2018 within a time to be stipulated by this Honourable Court.

For Petitioner : M/s.S.Mani

For Respondent : Mr.K.K.Ramesh,
Government Advocate (Forests)
For R1 and R2

Mr.V.Vijaya Shankar - for R3

O R D E R

This writ petition is filed seeking a direction to the respondents to consider the proposals sent by the second respondent on various dates, to the third respondent, to consider the claim of the petitioner for disbursement of

D.C.R.G, commutation and other terminal benefits, to which he is entitled to.

2. It is the claim of the petitioner that he was deprived of his legitimate terminal benefits even though he got retired from service on 31.12.2012. Learned counsel for the petitioner contends that proposals are sent by the second respondent on 25.07.2017, 04.10.2017, 18.01.018 and 05.05.2018 to the third respondent, to consider the claim of the petitioner for disbursement of D.C.R.G, commutation and other terminal benefits. Subsequently, the petitioner has sent a representation to the respondents in this regard dated 06.05.2018 which has not been considered till date. Therefore, the petitioner has filed the present writ petition.

3. Mr.K.K.Ramesh, learned Government Advocate (Forests) takes notice on behalf of the first and second respondents. Mr.V.Vijayasankar takes notice for the third respondent. Heard the contentions of both sides and perused the materials placed on record.

4. In view of the limited relief sought for, this Court is of the view that it is not necessary to dwell into the merits of the issue, but it would be suffice to direct the second respondent to consider the proposals sent by the third respondent, and pass orders on the same within a particular time frame

5. Under the circumstances, the second respondent is directed to consider the proposals sent by the third respondent and pass orders thereon, in accordance with law, within a period of eight weeks from the date of receipt of a copy of this order. The writ petition is disposed of accordingly. No costs.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

kst

To

1.The Principal Chief Conservator of Forests
Office at Panagal Maligai
Saidapet, Chennai - 600 015.

2.The District Forest Officer
Dindigul District.

3.The Accountant General of Tamil Nadu
DMS Compound, Teynampet, Chennai-18.

+1 cc to M/s.S.Mani, Advocate Sr.No.81522
+1 cc to M/s.V.Vijay Shankar, Advocate Sr.No.82077

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AD(CO)
CSL/19.12.2018