



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 25.10.2018

CORAM

THE HON'BLE MR.JUSTICE S.VAIDYANATHAN

WEB COPY

W.P.(MD) No.21867 of 2018

M.Gopal

.. Petitioner

Vs.

1.The Principal Secretary to Government,
Tourism, Culture and Religious Endowment (RE4-1)
Department, Secretariat,
Chennai - 600 009.

2.The Principal Secretary and Commissioner of Land
Administration,
Ezhilagam, Chepauk,
Chennai - 600 005.

3.The District Collector,
Development Section (RD&LA Panchayat Raj),
Collectorate Complex,
Virudhunagar District,
Virudhuagar.

4.The Principal Accountant General,
Accounts and Entitlements (A&E),
361, Anna Salai
Chennai.

(R4-Suo motu impleaded as per order of this
Court, dated 25.10.2018)

.. Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a writ of Mandamus, directing the first and second respondents ie., the Principal Secretary to Government, Tourism, Culture and Religious Endowment (RE4-1) Department, Secretariat, Chennai and the Principal Secretary and Commissioner of Land Administration, Ezhilagam, Chepauk, Chennai to arrange and disburse the retirement benefits to the Petitioner I.e., Pension, DCRG and Encashment of Leave Salary based on Government Letter No.11527/Aa.Ni.4-1/2017-1, dated 20.09.2017 within the time specified by this Court.

For Petitioner : Mr.S.Visvalingam
For Respondents : Mr.S.Dhayalan
1 to 3 : Government Advocate
For Respondent-4/ : Mr.P.Gunasekaran
impleaded respondent

**ORDER**

This Writ Petition has been filed, for issuance of a writ of Mandamus, directing the first and second respondents i.e., the Principal Secretary to Government, Tourism, Culture and Religious Endowment (RE4-1) Department, Secretariat, Chennai and the Principal Secretary and Commissioner of Land Administration, Ezhilagam, Chepauk, Chennai to arrange and disburse the retirement benefits to the Petitioner I.e., Pension, DCRG and Encashment of Leave Salary based on Government Letter No.11527/Aa.Ni.4-1/2017-1, dated 20.09.2017 within the time specified by this Court.

2.Mr.S.Dhayalan, learned Government Advocate takes notice for the respondents 1 to 3 and Mr.P.Gunasekaran, learned counsel takes notice for the newly impleaded fourth respondent. By consent of both parties, the main Writ Petition is taken up for final disposal at the stage of admission itself.

3.The case of the petitioner is that the Petitioner has retired from service on 28.2.2011 and that the pension and terminal benefits has not been paid to him till date. Even though the proposal has been forwarded to the first respondent by the third respondent, no action has been taken on the said proposal.

4.Mr.S.Dhayalan, learned Government Advocate appearing for the respondents 1 to 3 would submit that the proposal has already been sent and eligibility and other aspects would be considered by the authorities and if the Petitioner is found eligible, pension proposals and other terminal benefits would be extended to the Petitioner and the same would be communicated to the fourth respondent.

5.In view of the same, the respondents concerned are expected to consider the proposal which is pending before the first respondent forwarded by the third respondent, within a period of two months from the date of receipt of a copy of this order. If the Petitioner is found eligible, on intimation from the first respondent, impleaded fourth respondent shall extend the terminal benefits within one month thereafter.

6.With the above directions, the Writ Petition stands disposed of. No costs.

Sd/-

Assistant Registrar (CS-II)

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To:

- 1.The Principal Secretary to Government,
Tourism, Culture and Religious Endowment (RE4-1)
Department, Secretariat,
Chennai - 600 009.
- 2.The Principal Secretary and Commissioner of Land
Administration,
Ezhilagam, Chempauk,
Chennai - 600 005.
- 3.The District Collector,
Development Section (RD&LA Panchayat Raj),
Collectorate Complex,
Virudhunagar District,
Virudhunagar.
- 4.The Principal Accountant General,
Accounts and Entitlements (A&E),
361, Anna Salai
Chennai.

+1cc to Mr.S.Visvalingam, Advocate, Sr.No.91775.

+1cc to Mr.P.Gunasekaran, Advocate, Sr.No.92682.

W.P. (MD) No.21867 of 2018
25.10.2018

vsn

RAM-ES/RSK/SAR 3/26.12.2018/3P/7C