



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 04.07.2018

CORAM :

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THE HONOURABLE MR.JUSTICE R.SURESH KUMAR

W.P (MD) No.14191 of 2018

S.V.Subramanian

... Petitioner

Vs.

1.The Secretary to Government,
Government of Tamil Nadu,
Finance (PGC) Department,
Fort St. George,
Chennai - 600 009.

2.The Secretary to Government,
Government of Tamil Nadu,
Public Health and Family Welfare Department,
Fort St. George,
Chennai - 600 009.

3.The Director of Medical Education,
O/o.the Director of Medical Education,
Chennai - 600 010.

4.The Dean,
Rajiv Gandhi Government General Hospital,
Chennai - 600 003.

... Respondents

Prayer: This Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents to disburse the petitioner's remaining interest amounts accrued towards DCRG for the period from 01.01.1996 to 31.03.2003 and interest amount accrued towards encashment of leave salary for the period from 01.09.1997 to 18.06.2010 on the basis of the petitioner's representation dated 24.08.2014 within a fixed time limit that may be fixed by this Court.

For Petitioner : Mr.P.Saravanakumar
For Respondents : Mr.M.Murugan, G.A.

O R D E R

The prayer sought for in this writ petition is for a Writ of Mandamus, directing the respondents to disburse the petitioner's remaining interest amounts accrued towards DCRG for the period



from 01.01.1996 to 31.03.2003 and interest amount accrued towards encashment of leave salary for the period from 01.09.1997 to 18.06.2010 on the basis of the petitioner's representation dated 24.08.2014 within a fixed time limit that may be fixed by this Court.

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2. Heard Mr.P.Saravanakumar, learned counsel appearing for the petitioner and Mr.M.Murugan, learned Government Advocate appearing for the respondents.

3.The learned counsel appearing for the petitioner would submit that, the petitioner was appointed as Pharmacist in the Medical Department in Thanjavur Medical College Hospital and he joined duty on 23.12.1965. He continued as Pharmacist till he attained the age of superannuation. He has last served as Pharmacist at the Rajiv Gandhi Government General Hospital, Chennai. He retired from service on superannuation on 31.08.1997 peacefully. After retirement, the respondent had disbursed the retirement benefits, wherein, DCRG i.e. Death cum Retirement Gratuity was given to the petitioner belatedly. Therefore, for the said belated payment, since the petitioner was entitled to get interest, he had requested to pay the interest for the belated payment of DCRG and in this regard, the petitioner has given so many representation and the last such representation he made was on 24.08.2014 to the respondents. However, nothing was forthcoming for all these years. Therefore, the petitioner is before this Court.

4.I have heard the learned Government Advocate appearing for the respondents, who would submit that even according to the petitioner, the last representation he made was in the year 2014 and by this time, the said representation would have been considered and decided.

5.I have considered the submissions made by both sides.

6.Since the said representation of the petitioner was in the year 2014, probably, the same would have been decided by this time. However, since the learned counsel appearing for the petitioner is very assertive that so far, the said representation has not been disposed of, this Court is inclined to pass the following order:

"The third and fourth respondents are hereby directed to consider the said representation of the petitioner dated 24.08.2014, after receipt of a copy of the said representation from the petitioner and pass orders thereon, on merits and in accordance with law, within a period of four weeks from the date of

