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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 21.02.2018

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THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P(MD)No.1961 of 2013

and

M.P(MD)No.1 of 2013

Dr.Lalitha Kabilan

... Petitioner

Vs

1. The Chairman,
Board of Trustees,
Gandhigram Institute of Rural Health &
Family Welfare Trust,
Soundram nagar,
Ambathurai Post,
Gandhigram,
Dindigul District.

2. The Director,
Gandhigram Institute of Rural Health &
Family Welfare Trust,
Soundram Nagar,
Ambathurai Post,
Gandhigram, Dindigul District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the first respondent to disburse all the terminal benefits dues and other settlements to the petitioner within the stipulated time fixed by this Court.

For Petitioner : Mr.K.Prabhu

For R1 : No appearance

For R2 : Mr.M.Senthil Kumar

ORDER

The grievance of the writ petitioner is that she had served as a Director in the first respondent Institution. Previously, the petitioner was employed as a Deputy Director under the Indian



Council of Medical Research and voluntarily retired from service. After retirement, she was again appointed as Director in the First Respondent Institute on 16.02.2005. The writ petitioner served till September 2011. The respondents have not settled the terminal benefits due to the writ petitioner.

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2.The learned counsel appearing on behalf of the second respondent states that instead of fixing the consolidated pay, the time scale was erroneously granted to the writ petitioner. He further states that the writ petitioner had already served and therefore, the dues eligible to be settled in accordance with the Rules in force.

3.In this regard, the writ petitioner had submitted the representation to the first respondent on 04.10.2011 and the same is yet to be considered. Subsequent representations were also sent to the first respondent on various dates and finally on 03.12.2012.

4.This being the factum of the case, the first respondent is directed to consider the representations submitted by the writ petitioner on various dates and finally on 03.12.2012 and pass orders on merits and in accordance with law, within a period of twelve weeks from the date of receipt of a copy of this order. The writ petitioner is directed to enclose the copies of the representations and the documents, if any, along with the order passed in this writ petition.

5.Accordingly, the writ petition stands disposed of. However, there shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(T&P)

/True Copy/

Sub Assistant Registrar

To

1. The Chairman,
Board of Trustees,
Gandhigram Institute of Rural Health &
Family Welfare Trust,
Soundram nagar,
Ambathurai Post,
Gandhigram,
Dindigul District.



2. The Director,
Gandhigram Institute of Rural Health &
Family Welfare Trust,
Soundram Nagar,
Ambathurai Post,
Gandhigram, Dindigul District.

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+ 1 cc TO Mr.K.Prabhu , Advocate in SR No. 50671
+ 1 cc TO Mr.M.Senthil Kumar , Advocate in SR No. 50719

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AE/GT/SAR3/05.03.2018/3P/5C

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