

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.04.2019

CORAM

THE HONOURABLE MR.JUSTICE K.K.SASIDHARAN
And
THE HONOURABLE MR.JUSTICE P.D.AUDIKEVALU

W.A.No.1227 of 2019
And
C.M.P.No.8453 of 2019

1. The District Elementary Educational Officer,
Office of the District Elementary Education,
Namakkal.
2. The Assistant Elementary Educational Officer,
Assistant Elementary Educational Office,
Paramathi,
Namakkal District. Appellants

Vs.

1. V.Jaganathan
2. The Secretary,
Sriram Aided Primary School,
Vasanthapuram,
Paramathi Velur,
Namakkal District. Respondents

Prayer: Writ appeal filed under Clause 15 of Letters Patent against the order dated 11.07.2018 in W.P.1396 of 2017, praying to issue a Writ of Certiorarified Mandamus, to call for the records of the first respondent made in Proceedings in NA.KA.No.4191/A5/2012 dated 20.09.2016, quash the same and consequently, direct the respondents to disburse the petitioner's retirement benefits including the Provident Fund, Gratuity, Computation of Pension, Earned Leave Salary and all other attendant monetary benefits applicable to the petitioner with applicable rate of interest within the stipulated time as that may be fixed by this Court.

For Appellants : Mr.C.Munusamy
Special Government Pleader (Edn.)

For Respondents : Mr.N.Umapathi for R1
Mr.J.N.Ravichandran for R2

J U D G M E N T

(Judgment of the Court was delivered by K.K.SASIDHARAN,J.)

The learned Single Judge directed the appellants to pay all the retirement benefits to the first respondent with arrears of pay taking into account his date of retirement viz., 30.04.2015. Feeling aggrieved by the said order, the appellants have come up with this intra court appeal.

2.When the appeal is taken up for hearing, the learned Special Government Pleader by producing a copy of the proceedings dated 25.04.2019 submitted that pursuant to the direction given by the learned Single Judge, the Department has granted all the benefits to the first respondent.

3.Since the appellants have already complied with the order passed by the Writ Court, nothing survives for further adjudication.

4.We are informed that the Management has already forwarded necessary papers to the appellants for passing appropriate orders for payment of the benefits to the first respondent. We direct the appellants to pay the benefits to the first respondent as expeditiously as possible, and in any case on or before 30th June, 2019. The arrears should be paid by 30th June, 2019, in addition to the regular pension. In case the papers are forwarded by the appellants, necessarily the same should be processed and disposed of by the Accountant General, as expeditiously as possible to comply with the above time bound direction.

5.The intra court appeal is disposed of with the above direction. No costs. Consequently, the connected miscellaneous petition is also closed.

सत्यमेव जयते
Sd/-

Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

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To

1. The District Elementary Educational Officer,
Office of the District Elementary Education,
Namakkal.

2. The Assistant Elementary Educational Officer,
Assistant Elementary Educational Office,
Paramathi,
Namakkal District.

copy to: The Accountant General,
DMS Compound,
Teynampet,
Chennai - 600 018.

+1 cc to M/s.N.Umapathi, Advocate, S.R.No.40994

+1 cc to the Government Pleader, S.R.No.42524, 42475

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GJ-II(CO)
SSM(28/05/2019)



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