

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED :12.09.2019
CORAM
THE HON'BLE MR.JUSTICE M.DHANDAPANI
W.P.No.26644 of 2019

S.Sekar

..Petitioner

vs

1.The Commissioner
Social Welfare Department
Panagal Building, 2nd floor
Saidapet, Chennai - 15.

2.The District Social Welfare Officer
Vellore District, Vellore.

3.The Accountant General (A&E)
Tamil Nadu
361 Anna Salai,
Teynampet, Chennai - 600 018.

.. Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the 1st respondent herein to consider the petitioner's representation dated 19.06.2019 and release the monthly pension, undisputed DCRG amount of Rs.2,14,108 commutation value of Rs.6,87,494/- and other retirement benefits with interest within a period prescribed by this Honourable Court.

For Petitioner : Mr.R.S.Anandan

For Respondents : Mrs.A.Sri Jeyanthi
Additional Government Pleader

सत्यमेव जयते
O R D E R

The prayer sought for in this Writ Petition is to direct the 1st respondent herein to consider the petitioner's representation dated 19.06.2019 and release the monthly pension, undisputed DCRG amount of Rs.2,14,108/- commutation value of Rs.6,87,494/- and other retirement benefits with interest within a period prescribed by this Honourable Court.

2. The case of the petitioner is that he was working as a Superintendent in the Social Welfare Department and retired from service on 30.06.2018 on attaining the age of superannuation. On retirement it was directed to withhold a sum of Rs.4,45,012/-

from the pensionary benefits of DCRG as there were audit objections pending for the loss caused to the Government. It was also directed to disburse the benefits on clearance of the audit objections.

3. The grievance of the petitioner is that till date the audit objections were not cleared and he has not been paid retiral benefits as well as even the monthly pension was not paid. While so the 2nd respondent, by his proceedings dated 20.08.2019 directed the District Treasury Officer, Vellore to release the pension and commutation value of Rs.6,87,494/-. Therefore the petitioner submitted representation to the 1st respondent on 19.06.2019, requesting to grant monthly pension and undisputed DCRG amount of Rs.2,14,108/- and commutation value of Rs.6,87,494/- and other retirement benefits. Since no response is evoking from the respondents the petitioner is before this Court.

4. The learned counsel for the petitioner would submit that even after the lapse of one year the petitioner was not paid monthly pension, DCRG amount, commutation value and other retirement benefits. Therefore the learned counsel for the petitioner urge this Court to direct the respondents to pass appropriate orders on the representation made by the petitioner in accordance with law.

5. Mrs.A. Sri Jeyanthi, learned Additional Government Pleader would submit that there are certain loan amount due with the petitioner and after the deduction of the same, the petitioner will be paid the balance amount within reasonable time.

6. Considering the submissions made by both the counsel and the facts and circumstances of the case, I am inclined to issue direction to the respondents to disburse the balance amount after deducting the amount due from the petitioner within a period of three weeks from the date of receipt of a copy of the order. With the above direction the Writ Petition is disposed of. No costs.

-s/d-

Assistant Registrar(CJ conf)

True Copy

Sub-Assistant Registrar

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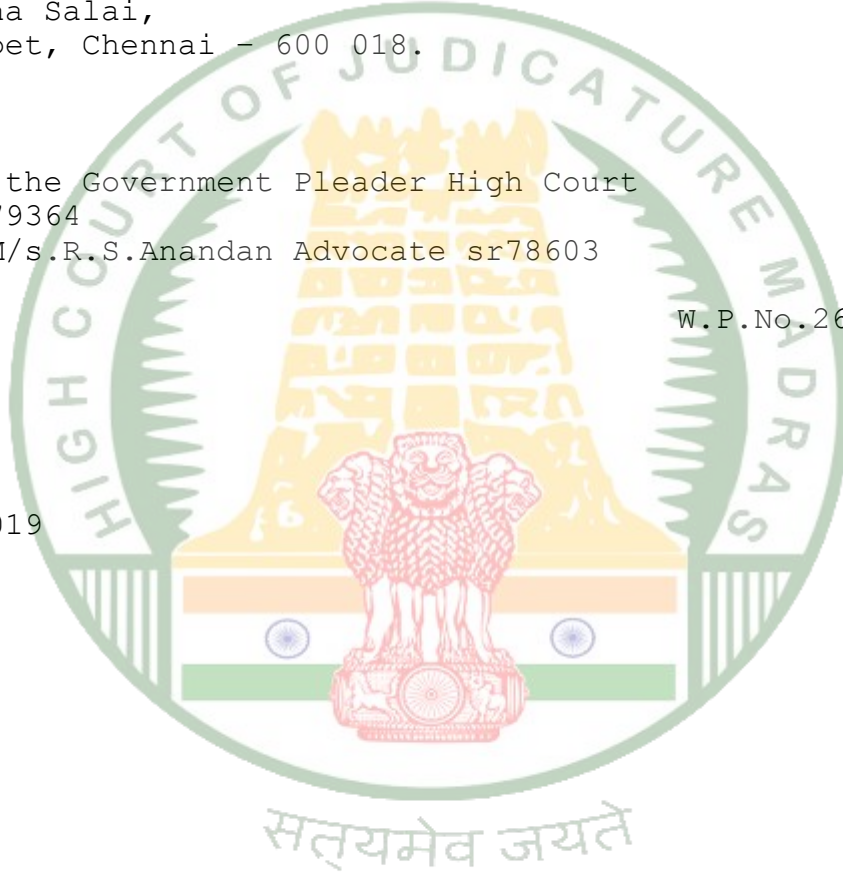
To

- 1.The Commissioner
Social Welfare Department
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- 3.The Accountant General (A&E)
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+2 ccs to the Government Pleader High Court
Madras sr79364
+1 cc to M/s.R.S.Anandan Advocate sr78603

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