

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 31.10.2019

CORAM

THE HON'BLE MR.JUSTICE M.DHANDAPANI

W.P.NO.30333 OF 2019

Tamil Nadu Corporation and Municipal
Pensioners Association Reg.No.102/2006,
Represented by its affiliated and Branch Office
Secretary M.Madheswaran, Having office at
Old Market, East Main Road Near SVT Bunk,
Mettur Dam - 636 401,
Salem District.

.. Petitioner

Vs.

1. The Commissioner of Municipal Administration,
Ezhilagam, Chepauk, Chennai - 600 005.
2. The Commissioner,
Mettur Municipality, Mettur, Salem District.
3. The Director of Local Fund Audit,
Combined Finance Department Complex,
Nandanam, Chennai - 600 035.

.. Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondents to pay Special Provident Fund with interest, Earned Leave encashment of benefits, V Pay Commission arrears and Provident Fund with interest to the Petitioners mentioned in the annexure within a date fixed by this Court as per the communications of the Respondents in Na.Ka.No.1069/2018/3 dated 31.10.2018 and in Na.Ka.No.1069/2018/3 dated 16.11.2018.

For Petitioner	:	Mr.A.R.Nixon
For RR 1 & 3	:	Ms.M.Lalitha
		Government Advocate
For R2	:	Mr.V.Jayaprakash Narayanan

O R D E R

This Writ Petition is filed for a Writ of Mandamus, directing the respondents to pay Special Provident Fund with interest, Earned Leave encashment of benefits, V Pay Commission

arrears and Provident Fund with interest to the Petitioners mentioned in the annexure within a date fixed by this Court as per the communications of the Respondents in Na.Ka.No.1069/2018/3 dated 16.11.2018.

2. The petitioner is an association established for the purpose of redressing the pensioners grievances regarding retired Corporation and Municipal employees from the State of Tamil Nadu. The case of the members of the petitioner association is that they are entitled to terminal benefits on the date of their retirement and on behalf of the same, similarly placed persons like members of the petitioner association filed Writ Petition in W.P.No.2560 of 2019 and this Court by the order dated 01.02.2019 directed the respondents to pass appropriate orders in the light of the communication dated 16.11.2018 sent by Municipal Administration and Water Supply Department to the Mettur Municipality, within a period of six weeks. Even then, thereafter some of the persons were settled with their retirement benefits and other persons were not settled with their retirement benefits. Hence the members of the petitioner association who were not settled with their retirement benefits have come out with the present Writ Petition.

3. The learned counsel for the petitioner would submit that pursuant to the order of this Court dated 01.02.2019, the Government sanctioned the amount and the same has been sent to the Mettur Municipality. However, till date the Mettur Municipality did not disburse the amount in favour of the petitioner. Hence, it would be suffice to issue direction to the second respondent to disburse the amount.

4. Considering the facts and circumstances of the case and the limited request made by the learned counsel for the petitioner, this Court hereby directs the the second respondent to disburse the eligible amount to the petitioners, if not already disbursed by them, within a period of twelve weeks from the date of receipt of a copy of this order.

5. With the above direction, the Writ Petition is disposed of. No costs.

Sd/-

Assistant Registrar (CJ Conf.)

//True Copy//

Sub Assistant Registrar

krk

To

1. The Commissioner of Municipal Administration,
Ezhilagam, Chepauk, Chennai - 600 005.
2. The Commissioner,
Mettur Municipality,
Mettur, Salem District.
3. The Director of Local Fund Audit,
Combined Finance Department Complex,
Nandanam, Chennai - 600 035.

+1cc to Mr.A.R.Nixon, Advocate, S.R.No.90884

+1cc to the Government Pleader, S.R.No.90684

W.P.No.30333 of 2019

BS (CO)
CS/19/12/2019



WEB COPY