

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.10.2019

CORAM

THE HON'BLE MR.JUSTICE M.DHANDAPANI

W.P.No.30051 of 2019
and
W.M.P.No.29979 of 2019

N.Dhandapani ... Petitioner

Vs.

1.The Director,
Local Administrative Department,
Puducherry

2.The Commissioner,
Oulgaret Municipality,
Puducherry

... 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 all the terminal benefits along with GPF, Group Insurance, Leave Salary, Annual Increment from 2002 onwards, pension gratuity etc. with penal interest of 24% per annum with retrospective effect from 28.02.2018 onwards.

For Petitioner : Mr.V.Ajayakumar
For Respondents : Mr.A.V.Ramalingam,
Additional Government Pleader
(Puducherry)

O R D E R

By consent, this writ petition is taken up for final disposal at the admission stage itself.

2.The case of the petitioner is that the petitioner joined service as Daily Rated employee in the year 1984 and his services were regularised in the year 1995. Subsequently, the post was redesignated as Bill Collector and he retired from service on 28.02.2018. While he was in service, he was suspended from 26.03.2002 and the same was revoked on 13.08.2004. Subsequently a charge memo was issued levelling four charges against the petitioner. Challenging the same, he filed a writ petition in W.P.No.24952 of 2005, and this Court disposed of the same by order dated 27.02.2017 and subsequently he retired from service. There was sufficient time to conduct disciplinary proceedings. Even after retirement, the petitioner's terminal benefits, GPF and monthly pension have not been disbursed till date. Therefore,

the petitioner made repeated representations, which have not been considered so far. Hence, the petitioner has filed the present petition.

3.Heard both sides.

4.The learned counsel appearing for the petitioner submitted that though the petitioner is not entitled to monthly pension, he is entitled to other benefits such as GPF, encashment of earned leave and unearned leave. However it would suffice, if a direction is issued to the respondents to consider the representation of the petitioner dated 31.07.2019 and pass orders, within a stipulated time fixed by this Court.

5.Mr.A.V.Ramalingam, learned Additional Government Pleader (Puducherry) appearing for the respondents would submit that the representation of the petitioner will be considered in accordance with law.

6.Though the petitioner has sought for a larger relief, this Court without going into the merits of the case, directs the respondents to consider the petitioner's representation dated 31.07.2019 and pass orders on merits and in accordance with law within a period of twelve weeks from the date of receipt of copy of this order.

7.With the above direction, this writ petition stands disposed of. Consequently, connected miscellaneous petition is closed. No costs.

Sd/-

Assistant Registrar (CS-III)

//True Copy//

Sub Assistant Registrar

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To

1.The Director,
Local Administrative Department,
Puducherry

2.The Commissioner,
Oulgaret Municipality, Puducherry

+1cc to Mr.V.Ajay Kumar, Advocate, S.R.No. 88519

+1cc to the Government Pleader, S.R.No. 88495

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