

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.10.2019

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P. No. 30329 of 2019

S. Laxme

... Petitioner

Vs.

1. The Secretary to Government,
Backward Classes, Most Backward Classes and
Minorities Welfare Department,
Chennai - 9.
2. The Director,
Most Backward Classes and Denotified
Communities Welfare Department,
Chepauk, Chennai.
3. The District Backward Classes and
Minorities Welfare Officer,
Collector Office Complex,
Kancheepuram - 631 501.
4. The Accountant General,
Office of the Accountant General
(Accounts & Entitlements),
No. 361, Annasalai,
Teynampet, Chennai - 600 018.

... Respondents

Prayer: Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the Respondents to consider the Petitioner's representation dated 05.10.2019 and to sanction and pay the pension, final payment of General Provident Fund (GPF), Death-cum-Retirement Gratuity (DCRG), Commutation, Encashment of Leave benefits and all other retirement benefits provided under law with interest within a stipulated time.

For Petitioner : Mr. R. Manimaran
For Respondents : Mrs. R. Janaki
1 to 3 Additional Government Pleader

O R D E R

The Petitioner has filed this writ petition seeking issuance of a Writ of Mandamus, to direct the Respondents to consider the Petitioner's representation dated 05.10.2019 and to sanction and pay the pension, final payment of General Provident

Fund (GPF), Death-cum-Retirement Gratuity (DCRG), Commutation, Encashment of Leave benefits and all other retirement benefits provided under law with interest within a stipulated time.

2. Heard the learned counsel appearing for the Petitioner and the learned Additional Government Pleader appearing for the Respondents.

3. The case of the Petitioner is that, she joined as Government Service as Matron (Secondary Grade) on 10.04.1992 at Government Girls Hostel (Most Backward Classes) in Keeramangalam, Pudukottai District. The Petitioner had retired from her service on 30.04.2019 due to her superannuation and to that effect the Third Respondent had also permitted to retire from her service by his proceedings Se.Mu.No.20144/w1/2015 dated 30.04.2019. The Petitioner had sent a combined proposal well in advance on 07.02.2019 for pension, final payment of General Provident Fund (GPF), Death-cum-Retirement Gratuity (DCRG), Commutation, Encashment of Leave benefits and all other retirement benefits. According to the Petitioner, the proposal for the General Provident Fund should be forwarded by the Third Respondent before four months of retirement in view of Government Letter No.120076/Allowances/93-1, dated 21.01.1993. But he had not done so. Thereafter it appears that the Petitioner has made repeated requests to the Third Respondent to forward the pension proposals of the Petitioner. The Fourth Respondent also sent a communication to the Third Respondent seeking pension proposals in respect of the Petitioner vide proceedings dated 04.10.2019. Even thereafter also, the Third Respondent has not chosen to forward the pension proposals and hence the Petitioner made a representation to the Respondents on 05.10.2019. Despite the same, since there is no action is forthcoming, the Petitioner has come forward with the present writ petition.

4. The learned counsel appearing for the Petitioner would submit that without going into the merits of the case, it would suffice, if this Court issues direction to the Respondents to consider the Petitioner's representation dated 05.10.2019 and to pass appropriate orders.

5. Considering the limited request made by the learned counsel appearing for the Petitioner, I am inclined to issue direction to the Respondents to consider the Petitioner's representation dated 05.10.2019, on merits and in accordance with law, within a period of twelve weeks from the date of receipt of a copy of this order.

6. The writ petition is accordingly disposed of. No costs.

-s/d-
Assistant Registrar (CS-I)

True Copy

Sub-Assistant Registrar

arb
To

1. The Secretary to Government,
Backward Classes, Most Backward Classes and
Minorities Welfare Department,
Chennai - 9.
2. The Director,
Most Backward Classes and Denotified
Communities Welfare Department,
Chepauk, Chennai.
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No. 361, Annasalai,
Teynampet, Chennai - 600 018.

+1 CC to The Govt. Pleader sr 89683.

+1 CC to Mr.A. Parameswaran, Advocate sr 89059.

सत्यमेव जयते

W.P. No. 30329 of 2019

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VD(CO)
SP(27/11/2019)