

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :11.11.2019

CORAM

THE HON'BLE MR.JUSTICE M.DHANDAPANI

W.P.No.31535 of 2019

R.Ramakrishnan

... Petitioner

Vs

1. The Member Secretary,
Sports Development Authority of Tamil Nadu,
116-A Periyar EVR High Road,
Nehru Park, Chennai-600084.
 2. The District Sports Officer,
Erode District,
Erode.
 3. The Accountant General of Tamil Nadu,
No. 361, Anna Salai,
Teynampet, Chennai-600018.
- Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the respondents to sanction the interest on the belated payment of Gratuity amount to a tune of Rs.9,56,508/- which is due on 01.02.2017 and paid on 06.12.2018 with 12% interest compounded annually as per G.O Ms. No. 122 Finance (Pension) Department dated 20.02.1995 and to refund the sum of Rs.48,000/- which was deducted from his gratuity amount within a reasonable time.

For Petitioner : Mr. P.Srinivas

For Respondents : Mr. R. Sathish, Standing Counsel -R1
Mr. R.S.Selvam, GA - R2

O R D E R

Writ Petition is filed for issuance of a Writ of Mandamus to direct the respondents to sanction the interest on the belated payment of Gratuity amount to a tune of Rs.9,56,508/- which is due on 01.02.2017 and paid on 06.12.2018 with 12% interest compounded annually as per G.O Ms. No. 122 Finance (Pension)

Department dated 20.02.1995 and to refund the sum of Rs.48,000/- which was deducted from his gratuity amount within a reasonable time.

2. Heard both sides and perused the records. By consent, the writ petition is taken up for final disposal.

3. The case of the petitioners is that the petitioner is a retired District Sports Officer and retired from service on 31.01.2017 after rendering 28 years of service. But the respondents failed to sanction the retirement benefits and DCRG within the specified time. The DCRG amount was sanctioned to the petitioner on 30.11.2018 and the same was paid on 06.12.2018 after a period of 22 months. Therefore the petitioner has sent representation dated 22.07.2019 to the respondents to sanction the interest for the belated payment of DCRG. Since the same was not considered by the respondents till date, the petitioner has filed the present writ petition.

4. Learned counsel appearing for the petitioner submitted that it would suffice, if this Court issues direction to the first respondent to consider the petitioner's appeal and pass appropriate orders within the reasonable time.

5. Considering the limited request made by the learned counsel appearing for the petitioner, this Court hereby directs the first respondent to consider the representation dated 22.07.2019 made by the petitioner claiming interest for the belated payment of DCRG and pass appropriate orders 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.

Sd/-

सत्यमेव जयते Assistant Registrar(J)

//True Copy//

Sub Assistant Registrar

To

1. The Member Secretary,
Sports Development Authority of Tamil Nadu,
116-A Periyar EVR High Road,
Nehru Park, Chennai-600084.

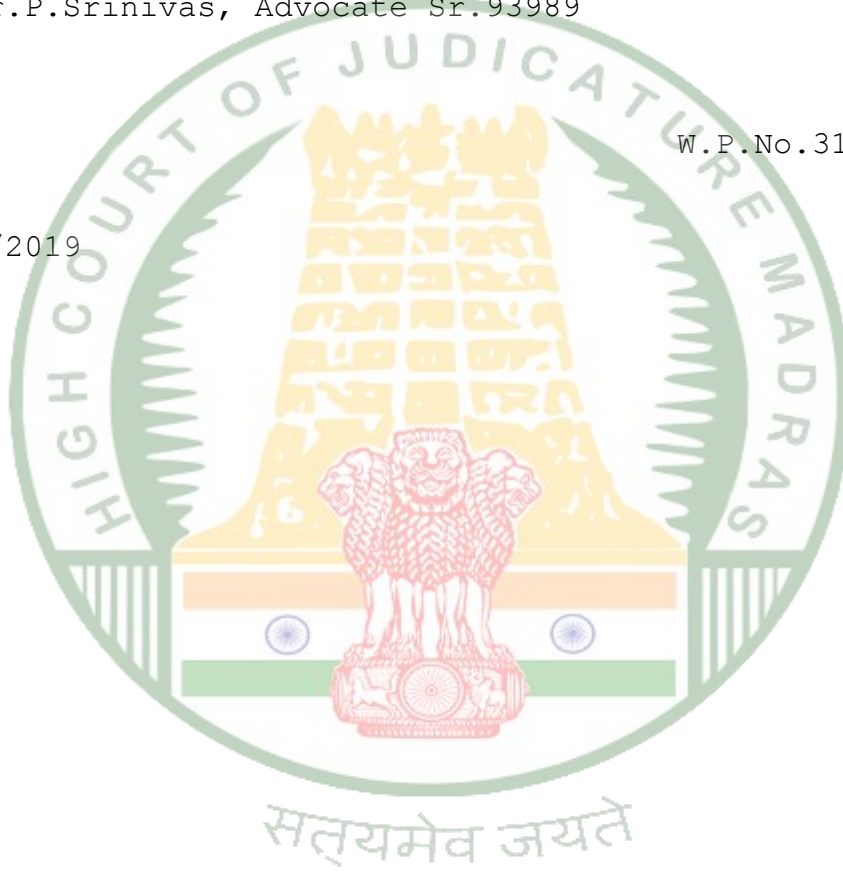
2. The District Sports Officer,
Erode District, Erode.

3. The Accountant General of Tamil Nadu,
No. 361, Anna Salai,
Teynampet, Chennai-600018.

+lcc to Mr.I.Sathish, Advocate Sr.93474
+lcc to the Government Pleader Sr.93755
+lcc to Mr.P.Srinivas, Advocate Sr.93989

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srg 05/12/2019



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