



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED :27.02.2019

CORAM:

THE HONOURABLE MR.JUSTICE **R.MAHADEVAN**

WP (MD) No.4456 of 2019

WEB COPY

A.Arumugam

... Petitioner

Vs.

1.The Government of Tamil Nadu,
represented by its Secretary to Government,
Department of Municipal Administration and
Water Supply,
Fort Saint George,
Chennai - 600 009.

2.The Director,
Department of Local Fund Audit,
Kuralagam,
Chennai - 108.

3.The Administrative Commissioner,
Commissionerate of Municipal Administration,
Ezhilagam, Chepauk,
Chennai - 05.

4.The Commissioner of Municipal Corporation,
Thoothukudi Municipal Corporation,
Thoothukudi District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, directing the 4th respondent to pay the terminal and pension and other benefits of Arumugam to his legal heirs as per permission granted by the 1st respondent in G.O.No. 386 dated 06.09.2016 together with 18% interest per annum within a time frame as may be fixed by this Honourable Court.

For Petitioner : Mr.S.Muthumalairaja
For Respondents : Mr.MC.Marichellaia Prabhu,
Additional Government Pleader

ORDER

The prayer in this writ petition is to direct the 4th respondent to pay the terminal benefits and pension of his father Arumugam to his legal heirs as per GO(PD)No.386 dated 06.09.2016 with interest.

<https://hcservices.ecourts.gov.in/hcservices/>

2.Heard both sides. By Consent, this writ petition is taken up for final disposal at the stage of admission itself.



3. According to the petitioner, the pensionary and terminal benefits of his father have not been settled, as his father died before sanction was accorded towards the same. In this regard, GO(P) No.386, dated 06.09.2016 has been issued granting permission to the 4th respondent to settle the benefits. Despite, the permission, 4th respondent has not acted upon the said GO. Hence, the petitioner is before this Court.

4. The learned Additional Government Pleader appearing for the respondents, on instructions, submitted that the grievance of the petitioner would be addressed on merits.

5. Under such facts and circumstances of the case, this Court, without going into the merits of the case, directs respondent No.4 to consider the claim of the petitioner in respect of pensionary and terminal benefits, on merits and in accordance with law and also in the light of GO(P) No.386, dated 06.09.2016 and pass appropriate orders, after affording opportunity of hearing to the petitioner, within a period of eight weeks from the date of receipt of a copy of this order.

6. The writ petition is disposed of, on above terms. No costs.

Sd/-

Assistant Registrar (CS III)

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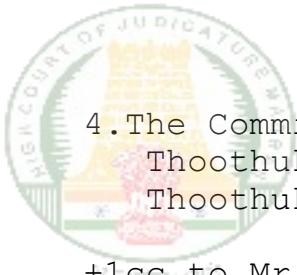
Sub Assistant Registrar(CS)

To

1. The Secretary to Government,
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Chennai - 600 009.

2. The Director,
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Kuralagam,
Chennai - 108.

3. The Administrative Commissioner,
Commissionerate of Municipal Administration,
Ezhilagam, Chepauk,
Chennai - 05.



4.The Commissioner of Municipal Corporation,
Thoothukudi Municipal Corporation,
Thoothukudi District.

+1cc to Mr.S.Muthumalairaja, Advocate, SR.No. 50362

+1cc to M/s.Special Government Pleader,SR.No. 50533

WP (MD) No. 4456 of 2019

27.02.2019

DSK

KK/SAR-/27.03.2019/3P-7C