



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 26.03.2019

CORAM:

THE HONOURABLE MR.JUSTICE. R.MAHADEVAN

W.P. (MD) No.7024 of 2019

WEB COPY

G.Arunachalam

.. Petitioner

Vs.

1.The Principal Secretary and Director
of Treasuries and Accounts,
Saidapet,
Chennai - 600 015.

2.The Principal Secretary to Government,
Health and Family Welfare (Z-2) Department,
Secretariat,
Fort St. George,
Chennai - 600 009.

3.The Additional Chief Secretary to Government,
Finance Department (Treasuries and Accounts),
Secretariat,
Fort St. George,
Chennai - 600 009.

4.The Director of Medical and Rural Health Services (ESI),
DMS Complex,
Teynampet, Chennai - 600 006.

5.The Accountant General,
Accountant General Office,
261, Anna Salai,
Chennai - 600 018.

.. Respondents

PRAYER : Writ Petition is filed under Article 226 of Constitution of India, to issue a writ of Mandamus directing the respondents 1 to 5 to pay 12% interest per annum for the belated sanctioned amount under the head of Encashment of Earn leave and leave on Private affairs, Special Provident Fund and Commutation of Pension from 01.08.2016 to till the date of disbursement based on the petitioner's representation dated 22.06.2018 and subsequent representation dated 14.03.2019 within a stipulated time that may be fixed by this Court.

For Petitioner : Mr.R.Karunanidhi

For R1 to R4 : Mrs.J.Padmavathy Devi

Special Government Pleader

For R5 : Mr.P.Gunasekaran

ORDER

Seeking a direction to the respondents to grant interest for the belated payment of retirement benefits, the petitioner has filed the present writ petition.

WEB COPY

2. Heard the learned counsel for the petitioner; the learned Special Government Pleader for the respondents 1 to 4 and the learned counsel for the fifth respondent. By consent, the Writ Petition itself is taken up for final disposal at the stage of admission.

3. The grievance of the petitioner is that despite the fifth respondent passed orders, sanctioning payment of DCRG, pension and commutation etc., vide order dated 24.08.2016, the petitioner has not been paid with the same due to the suspension order passed against him. However, he was paid with such benefits thereafter, but with a delay. Hence, seeking interest for the belated payment, the petitioner made representations dated 22.06.2018 and 14.03.2019. Since no orders have been passed on the same, the petitioner is before this Court.

4. The learned Special Government Pleader appearing for the respondents 1 to 4 and the learned counsel for the fifth respondent submitted that the representation of the petitioner would be considered on merits.

5. In view of the above submission, this Court, without going into the merits of the case, directs the respondents to consider the representations of the petitioner dated 22.06.2018 and 14.03.2019 and pass appropriate orders on merits and in accordance with law, within a period of eight weeks from the date of receipt of a copy of this order, after affording an opportunity of hearing to the petitioner.

6. The writ petition is disposed of with the above direction. No costs.

Sd/-

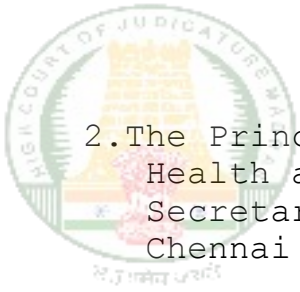
Assistant Registrar (CO)

// True Copy //

Sub Assistant Registrar (CS)

To

1. The Principal Secretary and Director
of Treasuries and Accounts,
Saidapet, Chennai - 600 015.



2.The Principal Secretary to Government,
Health and Family Welfare (Z-2) Department,
Secretariat, Fort St. George,
Chennai - 600 009.

3.The Additional Chief Secretary to Government,
Finance Department (Treasuries and Accounts),
Secretariat, Fort St. George,
Chennai - 600 009.

4.The Director of Medical and Rural Health Services (ESI),
DMS Complex,
Teynampet, Chennai - 600 006.

+1cc to Mr.R.Karunanidhi,Advocate, SR.No.56645
+1cc to Mr.P.Gunasekaran,Advocate, SR.No.56900
+1cc to Special Government Pleader, SR.No.57166

W.P.[MD].No.7024 of 2019
26.03.2019

SP/27.04.2019/ 3P/8C