

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

DATED: 09.04.2019

CORAM

WEB COPY

THE HONOURABLE MR.JUSTICE R.MAHADEVAN**W.P(MD)No.8431 of 2019**

Kudavayil Balasubramanian

... Petitioner

Vs.

1.The Principal Secretary,
School Education,
Government of Tamil Nadu,
Secretariat, Chennai - 600 009.

2.The District Collector/Director - Saraswathi
Mahal Library,
Thanjavur District,
Thanjavur.

3.The Administrative Officer,
Saraswathi Mahal Library,
Palace Complex,
Thanjavur - 2.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a writ of Mandamus, directing the respondents to pay the balance of gratuity to the petitioner as per G.O.Ms.No.235, dated 01.06.2009 and G.O.Ms.No.316, dated 23.07.2009 within the time frame fixed by this Court.

For Petitioner : Mr.MA.Karunanithi

For Respondents : Mrs.J.Padmavathy Devi,
Special Government Pleader.**ORDER**

This writ petition has been filed seeking issuance of a writ of Mandamus, to direct the respondents to pay the balance of gratuity amount to the petitioner as per G.O.Ms.No.235, dated 01.06.2009 and G.O.Ms.No.316, dated 23.07.2009 within the time frame fixed by this Court.

2.Heard Mr.MA.Karunanithi, learned counsel appearing for the petitioner and Mrs.J.Padmavathy Devi, learned Special Government Pleader, who takes notice for the respondents. By consent, the Writ Petition is taken up for final disposal at the stage of admission itself.



3.The grievance of the petitioner is that he retired from service on 30.06.2006 and receiving pension. The petitioner relying on G.O.Ms.No.235, dated 01.06.2009 and G.O.Ms.No.316, dated 23.07.2009, submitted a representation to the respondents on 14.10.2017 requesting to disburse the gratuity amount. Since the same has not been considered so far, the petitioner has filed the present Writ petition.

4.The learned Special Government Pleader appearing for the respondents submitted that the representation of the petitioner would be taken into consideration on merits.

5.In view of the above, this Court, without going into the merits of the case, directs the respondents to consider the representation of the petitioner, dated 14.10.2017, in the light of G.O.Ms.No.235, dated 01.06.2009 and G.O.Ms.No.316, dated 23.07.2009, and pass appropriate orders, on merits and in accordance with law, after affording due opportunity of hearing to the petitioner, within a period of eight weeks from the date of receipt of a copy of this order.

6.With the above direction, this Writ Petition stands disposed of. No costs.

Sd/-

Assistant Registrar (T & P)

// True Copy //

Sub Assistant Registrar (CS)

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To

1.The Principal Secretary,
School Education,
Government of Tamil Nadu,
Secretariat, Chennai - 600 009.

2.The District Collector/Director - Saraswathi
Mahal Library,
Thanjavur District,
Thanjavur.



3. The Administrative Officer,
Saraswathi Mahal Library,
Palace Complex,
Thanjavur - 2.

+1CC TO MR.MA.KARUNANITHI, Advocate Sr. No. 59776

W.P (MD) No. 8431 of 2019
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TR (29.04.2019) 3P 5C