

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

DATED: 25.06.2019

CORAM:

THE HONOURABLE **MR. JUSTICE S.M.SUBRAMANIAM****W.P. (MD) No.18656 of 2015**

WEB COPY

Muthusamy

... Petitioner

Vs.

1. Principal Accountant General,
O/o. Principal Accountant General (A&E),
Tamil Nadu,
361, Anna Salai,
Teynampet,
Chennai-600 018.

2. The Chief Education Officer,
Sivagangai District,
Sivagangai.

3. The Headmaster,
Government Higher Secondary School,
Kalayarkoil,
Sivagangai District.

4. The Treasury Officer,
District Treasury,
Sivagangai.

... Respondents

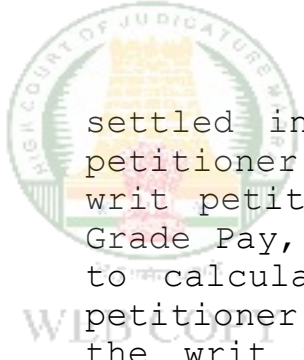
PRAYER: Writ Petition under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, to call for the records relating to the proceedings of the second respondent made in O.Mu.No.6336/AA4/2015, dated 16.09.2015 and quash the same and consequently direct the second respondent to disburse the DCRG amount available in the hands of the fourth respondent forthwith.

For Petitioner : Mr.R.Murali
For R1 : Mr.P.Gunasekaran
For R2 to R4 : Mrs.S.Srimathy,
Special Government Pleader

ORDER

The order dated 16.09.2015 rejecting the claim of the writ petitioner for settlement of DCRG is under challenge in the present writ petition.

2. The grievance of the writ petitioner at the time of filing the writ petition was that the DCRG as applicable had not been



settled in his favour. The learned counsel appearing for the petitioner states that on account of pendency of the other two writ petitions quashing the recovery as well as the fixation of Grade Pay, the DCRG was not settled as the respondents were unable to calculate the DCRG as per the claims set out by the writ petitioner. However, on account of efflux of time, the claim of the writ petitioner was considered by the respondents and the Grade Pay is now settled in favour of the writ petitioner and consequently, the Accountant General (Accounts & Entitlements), Tamil Nadu also issued revised payment in proceedings No.P10/11024083/4/PPO No.R1013998, dated 27.03.2019. Accordingly, the revised amount of gratuity is fixed as Rs.9,24,900/- and the amount already authorised was Rs.6,89,675/-. Thus, net gratuity payable to the writ petitioner is Rs.2,35,225/-.

3.Under these circumstances, the amount already authorised by the authorities to the tune of Rs.6,89,675/- is to be paid to the writ petitioner. In view of the revised pension payment order, dated 27.03.2019 issued by the Accountant General (Accounts & Entitlements), Tamil Nadu, the fourth respondent is directed to settle the entire Gratuity as per the revised pension payment order, dated 27.03.2019 within a period of four weeks from the date of receipt of a copy of this order.

3.With the above directions, the Writ Petition stands disposed of. However, there shall be no order as to costs.

Sd/-

Assistant Registrar (CS-III)

// True Copy //

Sub Assistant Registrar (CS)

To

1.The Chief Education Officer,
Sivagangai District,
Sivagangai.

2.The Headmaster,
Government Higher Secondary School,
Kalayarkoil,
Sivagangai District.

3.The Treasury Officer,
District Treasury,
Sivagangai.



+1 CC to M/s.SPL GP (SR-71612[F] dated 26/06/2019)

+1 CC to M/s.M.SURESH KUMAR, Advocate (SR-71448[F] dated 26/06/2019)

+1 CC to M/s.P.GUNASEKARAN, Advocate (SR-71642[F] dated 26/06/2019)

AM

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