



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 15.07.2019

CORAM:

THE HONOURABLE MR.JUSTICE D. KRISHNAKUMAR

W.P (MD) No.7337 of 2019

K. Balasubramanian

... Petitioner

Vs.

1.The Secretary to Government,
Finance (Pension) Department,
Secretariat,
Chennai - 600 009.

2.The Director of Local Fund Audit,
4th Floor, Kuralagam,
Chennai - 600 108.

3.The Commissioner,
Tenkasi Municipality,
Tenkasi - 627 811,
Tirunelveli District

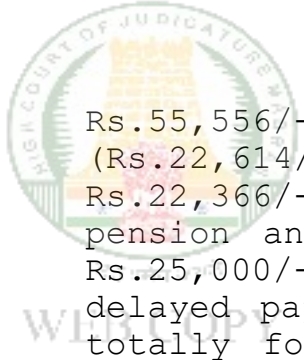
... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus directing the respondents to consider the petitioner's representation dated 29.01.2019 and direct the respondents to sanction 18% of interest along with calculation sheet for a sum of Rs.55,556/- towards commutation amount, for a sum of Rs.44,980/- (Rs.22,614/- for the period from 01.01.2007 to 30.06.2009 + Rs.22,366/- for the period from 01.07.2009 to 24.11.2010) towards pension and dearness allowance arrears and family welfare amount Rs.25,000/- from 24.11.2010 and for a sum of Rs.9,084/- towards the delayed payment of November month pension amount from 24.11.2010, totally for a sum of Rs.1,34,620/- (Rupees One Lakh Thirty Four Thousand Six Hundred Twenty only) from the date of death of petitioner's father till the date of realization of payment as per the Judgment reported in 2001 (9) SCC 687, Vijay L. Mehrotra vs. State of UP and others within a time stipulated by this Court.

For Petitioner	: Mr. M.R. Sreenivasan
For R1 and R2	: Mr. A. Muthukaruppan Additional Government Pleader
For R3	: Mr.P. Athimoolapandian Standing Counsel

ORDER

This writ petition has been filed for issuing a direction to the respondents to consider the petitioner's representation, dated 29.01.2019 and consequently, direct the respondents to sanction 18% of interest along with calculation sheet for a sum of



Rs.55,556/- towards commutation amount, for a sum of Rs.44,980/- (Rs.22,614/- for the period from 01.01.2007 to 30.06.2009 + Rs.22,366/- for the period from 01.07.2009 to 24.11.2010) towards pension and dearness allowance arrears and family welfare amount Rs.25,000/- from 24.11.2010 and for a sum of Rs.9,084/- towards the delayed payment of November month pension amount from 24.11.2010, totally for a sum of Rs.1,34,620/- (Rupees One Lakh Thirty Four Thousand Six Hundred Twenty only) from the date of death of petitioner's father till the date of realization of payment as per the Judgment reported in 2001 (9) SCC 687, Vijay L. Mehrotra vs. State of UP and others within a time stipulated by this Court.

2. Today, when the matter was taken up for hearing, the learned counsel appearing for the petitioner would submit that subsequent to the filing of the Writ Petition, the claim of the petitioner came to be rejected by order dated 28.03.2019. Further, he seeks liberty to challenge the said order.

3. In view of the above, this Writ Petition is closed, however, with liberty to the petitioner to challenge the said order. No costs.

Sd/-

Assistant Registrar (AD-II)

// True Copy //

Sub Assistant Registrar(CS)

To

1.The Secretary to Government,
Finance (Pension) Department,
Secretariat,
Chennai - 600 009.

2.The Director of Local Fund Audit,
4th Floor, Kuralagam,
Chennai - 600 018.

3.The Commissioner,
Tenkasi Municipality,
Tenkasi - 627 811.

+1 CC to Mr.M.R.SREENIVASAN, Advocate (SR-75251[F] dated 15/07/2019)

+1 CC to SPL GP (SR-75436[F] dated 16/07/2019)

W.P (MD) No.7337 of 2019
15.07.2019