

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.01.2020

CORAM

THE HON'BLE MR.JUSTICE N.ANAND VENKATESH

W.P.No.387 of 2020

M.P.Krishnan

...Petitioner

Vs.

1. The State of Tamil Nadu,
Rep. by Secretary,
Department of Public Health and Preventive Medicine,
Fort St. George, Chennai 600009.
 2. The Director,
Public Health and Preventive Medicine,
No.359, Anna Salai, Chennai.
 3. The Deputy Director of Health Services,
Public Health and Preventive Medicines,
Karur, Karur District.
 4. The Principal Accountant General (A&E), Tamil Nadu,
361, Annasalai,
Teynampet, Chennai 600 018
- ..Respondents

Prayer:- Writ petitions filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the 2nd respondent to sanction and disburse full pension and all the petitioner's retirement benefits including Dearness Allowance, Commutation of a portion of Pension, Death-cum-Retirement Gratuity, Encashment of Leave, with arrears within a time frame.

For Petitioner : Mr.A.Mohamed Ismail

For Respondents : Mr.K.Parameswaran,

Government Advocate for R1 to R3

ORDER

This writ petition has been filed for the issue of writ of Mandamus directing the 2nd respondent to sanction and disburse the full pension and other retirement benefits and other monetary benefits to the petitioner.

2. The case of the petitioner is that he was appointed as a Leprosy Inspector in the year 1988 and he took voluntary

retirement on 30.04.2019, due to physical ailment. There was a matrimonial dispute between the petitioner and his estranged wife. This has been shown to be a reason for non-settling the retirement benefits and other monetary benefits of the petitioner. The petitioner has therefore made a representation to the respondents on 18.11.2019 to settle all his benefits. Since it did not evoke any response, the present writ petition has been filed.

3. Heard the learned counsel appearing for the petitioner and the learned counsel appearing for the respondents.

4. Taking into consideration the facts and circumstances of the case and also the limited relief that has been sought for in this writ petition, there shall be a direction to the 2nd respondent to pass orders on the representation made by the petitioner on 18.11.2019 and settle all the benefits to the petitioner, if he is entitled under law, within a period of six weeks from the date of receipt of a copy of this order. The petitioner is directed to make a fresh representation to the 2nd respondent along with the copy of the representation dated 18.11.2019 and also a copy of this order.

5. This writ petition is disposed of with the above directions. No costs.

Sd/-

Assistant Registrar (C.S.VIII)

/True Copy/

Sub Assistant Registrar

To

1. The Secretary, State of Tamil Nadu,
Department of Public Health and Preventive Medicine,
Fort St. George, Chennai 600009.
2. The Director, Public Health and Preventive Medicine,
No.359, Anna Salai, Chennai.
3. The Deputy Director of Health Services,
Public Health and Preventive Medicines, Karur, Karur District.
4. The Principal Accountant General (A&E), Tamil Nadu,
361, Annasalai, Teynampet, Chennai 600 018.

+1 cc to M/s.A.Mohamed Ismail, Advocate Sr.No. 2395

+1 cc to The Government Pleader Sr.No. 3212

AKM/31.01.2020/2P- 7C /

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