

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.08.2020

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.34300 of 2013

P.Ganesan

... Petitioner

Vs.

1.State of Tamil Nadu rep. by
Secretary to Government,
Finance (Pension) Department,
Fort.St.George,
Chennai - 600 009.

2.The Accountant General,
Accountant General Office,
Teynampet,
Chennai - 600 018.

3.The Head Master,
Government (Adi Dravidar Welfare)
Higher Secondary School,
Kavarai, Gingee Taluk,
Villupuram District 604 205.

... Respondents

Prayer:

Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the respondents to pay Rs.2,28,641/- towards DCRG which is payable on 31.05.2003 with 12% interest to the petitioner.

For Petitioner : Mr.M.V.Kathir

for M/s.A.R.Nixon

For Respondents : Mr.S.Suresh Kumar for R1 and R3

Government Advocate

Ms.J.Sree Vidya for R2

O R D E R

The petitioner has filed this writ petition seeking issuance of Writ of Mandamus directing the respondents to pay Rs.2,28,641/- towards DCRG which is payable on 31.05.2003 with 12% interest to the petitioner.

2.The case of the petitioner is that the petitioner after rendering 38 years, 8 months and 16 days of service, retired on 31.05.2003, on attaining the age of superannuation, as Higher Secondary School B.T.Assistant, Kavarai Adi Dravidar Higher Secondary School, Gingee. According to the petitioner, a sum of Rs.2,28,641/- towards DCRG has not been paid to him. In this regard, the petitioner made representation dated 11.04.2013 to the respondents, however, the said amount towards DCRG has not yet been paid to him. Hence, this writ petition.

3.The learned counsel appearing for the petitioner would submit that though the petitioner retired from service as early as on 31.05.2003, a sum of Rs.2,28,641/- towards DCRG has not yet been paid to him. Hence, this Court may issue direction to the respondents to pay the amount to the petitioner along with interest.

4.The learned Government Advocate did not dispute the fact that the entire amount towards DCRG has not been paid to the petitioner. He would further submit that the amount due to the petitioner is lying in the Office of the Accountant General. Hence, this Court may issue direction to pay the eligible DCRG amount to the petitioner, within a reasonable time.

5.In view of the submissions made on either side and since for no reasons, some amount towards DCRG due to the petitioner is lying in the Office of the Accountant General, this Court directs the respondents to pay the eligible DCRG amount due to the petitioner along with 6% interest from 31.05.2003, to the petitioner, within a period of three months from the date of receipt of a copy of this order. The writ petition is accordingly disposed of. No costs.

Sd/-

Assistant Registrar

//True Copy//

सत्यमेव जयते

Sub Assistant Registrar

To

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

2.The Accountant General,
Accountant General Office,
Teynampet,
Chennai - 600 018.

3.The Head Master,
Government (Adi Dravidar Welfare)
Higher Secondary School,
Kavarai, Gingee Taluk,
Villupuram District 604 205.

+1cc to
The Government Pleader,
High Court, Madras in Sr no.26578 dt.13.8.2020

W.P.No.34300 of 2013

MR(CO)
RV(03/09/2020)



WEB COPY