



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 11.12.2020

CORAM:

THE HONOURABLE MR.JUSTICE KRISHNAN RAMASAMY

Writ Petition (MD)No.18247 of 2020

A.George

... Petitioner

Vs.

1.The Principal Secretary,
School Education,
Government of Tamil Nadu,
St. George Fort, Chennai.

2.The Commissioner,
School Education,
Government of Tamil Nadu,
St. George Fort, Chennai.

3.The Principal Account General (Accounts and Entitlements),
361, Annasalai, Tenampet,
Chennai.

4.The Block Educational Officer,
Thiruvattar Block, Thiruvattar Post,
Kanyakumari District.

5.The Correspondent,
Holy Family Higher Secondary School,
Mukkottuakal, Manjalumoodu Post,
Kanyakumari District.

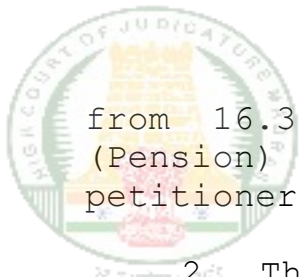
... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus to direct the respondents to pay the accrued rate of interest with cumulative effect towards the delay caused on payment of revised gratuity commencing from 16.3.2009 to till date as per G.O.Ms.No.122 Finance (Pension) Department, dated 20.02.1995, by considering the petitioner's representations and reminder on 01.10.2020.

For Petitioner	:	Mr.S.C.Herold Singh
For R1, R2 & R4	:	Mr.N.Shanmugaselvam Additional Government Pleader
For R3	:	Mr.P.Gunasekaran

O R D E R

This Writ Petition has been filed for a direction to the respondents to pay the accrued interest with cumulative effect towards the delay caused on payment of revised gratuity commencing



from 16.3.2009 to till date, as per G.O.(Ms).No.122 Finance (Pension) Department, dated 20.02.1995, by considering the petitioner's representations and reminder on 01.10.2020.

2. The main contention of the petitioner is that he has received the pensionary benefit with delay. Therefore, the petitioner is entitled to get interest and hence, he made a representation to the first respondent dated 01.10.2020, and in the said representation, he has also referred the G.O.(Ms).No.122, Finance (Pension) Department, dated 20.02.1995. However, the said representation was not considered so far and hence, the petitioner has approached this Court by filing this writ petition.

3. Mr.P.Gunasekaran, learned counsel appearing for the third respondent submitted that the first respondent is the appropriate authority to pass orders on the representation of the petitioner, dated 01.10.2020.

4. Mr.N.Shanmugaselvam, learned Additional Government Pleader appearing for the respondents 1, 2 and 4 submitted that there was no delay on the part of the respondents in paying the pensionary benefits to the petitioner and in this regard, he has also referred the order passed by the Chief Educational Officer, Kanyakumari District, dated 06.07.2020. However, the petitioner's representation will be considered within a period of twelve weeks time.

5. In view of the submissions made by the learned counsel for the petitioner as well as the learned Additional Government Pleader appearing for the respondents 1, 2 and 4, this Court directs the petitioner to furnish one more copy of the representation dated 01.10.2020, to the first respondent within a period of two weeks from the date of receipt of a copy of this order and the first respondent is directed to dispose of the same within a period of twelve weeks thereafter.

6. With the above directions, this Writ Petition is disposed of. No costs.

Sd/-

Assistant Registrar (CRL.SIDE)

// True Copy //

/ /2021

Sub Assistant Registrar (CS)



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Note:

In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To

- 1.The Principal Secretary,
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- 2.The Commissioner,
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Government of Tamil Nadu,
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Chennai.
- 3.The Principal Account General
(Accounts and Entitlements),
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Tenampet,
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- 4.The Block Educational Officer,
Thiruvattar Block,
Thiruvattar Post,
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W.P. (MD)No.18247 of 2020

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