



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 23.01.2020

CORAM:

WEB COPY

THE HONOURABLE MRS. JUSTICE J.NISHA BANU

W.P.(MD) No.21309 of 2014

A. Puspa Leela Bai

Petitioner

Vs

1. The Principal Secretary cum Commissioner
of Treasuries and Accounts,
Chennai.

2. The Treasury Officer,
District Treasury,
Nagercoil,
Kanyakumari District.

3. The Sub Treasury Officer,
Treasury Office,
Karungal,
Kanyakumari District.

4. The Treasury Officer,
District Treasury,
Virudhunagar,
Virudhunagar District.

5. The Sub Treasury Officer,
Treasury Office,
Tiruchuli,
Virudhunagar District.

Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus directing the respondents to regularize the service of the petitioner from the date of appointment that is from 27.09.1985 and disburse all arrears and terminal and pension and all monitory benefits by considering the representation of the petitioner dated 05.07.2010 within a stipulated time fixed by this Court.

For Petitioner : Mr. S.C.Herold Singh

For Respondents : Mr.S.Dhayalan
Government Advocate



O R D E R

This writ petition is filed to direct the respondents to regularize the service of the petitioner from the date of appointment that is from 27.09.1985 and disburse all arrears and terminal and pension and all monitory benefits by considering the representation of the petitioner dated 05.07.2010 within a stipulated time fixed by this Court.

2. The case of the petitioner is that though the petitioner was appointed in the year 1985 as part time worker in the second respondent office, and subsequently her service was regularised as per proceedings in Na.Ka.No.14100/09/C2 dated 15.04.2010 as full time employee and was transferred to the fourth respondent office, her service has not been regularised from the date of his initial appointment. Hence, the petitioner has preferred this present Writ Petition.

3. The learned counsel for the petitioner submitted that though the fifth respondent had sent a proposal to the fourth respondent for disbursing pension under the contribution pension scheme during 2011, no effective steps have been taken by the fourth respondent. Further the learned counsel submitted that the petitioner had retired from service 2011 and till date she has not been settled with the retirement benefits, pension and arrears of salary. In this regard, the petitioner had already submitted her representation on 05.07.2010. Hence, the learned counsel prayed to issue necessary direction to the respondents to disburse all arrears of salary, terminal, pension and other monetary benefits to the petitioner.

4. No counter affidavit has been filed by the respondents. Mr.S.Dhayalan, learned Government Advocate takes notice for the respondents.

5. The grievance of the petitioner is that though the petitioner was appointed in the year 1985, her service has not been regularised from the date of her initial appointment even after she had retired from service during 2011. On a perusal of the available records reveals the fact that the fifth respondent has sent a proposal to the fourth respondent for disbursement of the petitioner's terminal benefits and arrears of salary. Moreover, the petitioner has also made his representation on 05.07.2010. But the respondents had kept the petitioner's representation without any progress. Considering the fact that the petitioner had retired from service during 2011 itself, and she belongs to the category of Tamil Nadu basic servants, it is essential to issue direction to the respondents to consider the petitioner's representation and pass appropriate orders for disbursement of his terminal benefits at the earliest.



6. For all the foregoing reasons, although the petitioner has made a representation dated 05.07.2010, the petitioner is directed to make a fresh representation, enclosing a copy of this order, seeking for settlement of her arrears, terminal and pension and all monitory benefits and on receipt of such representation, the respondents herein shall consider the same and disburse all the benefits which, she may be entitled to. Such exercise shall be completed atleast within a period of twelve weeks from the date of receipt of fresh representation along with a copy of this order.

7. With the above directions, the writ petition is disposed of. No costs.

Sd/-

Assistant Registrar (Records)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

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To

1. The Principal Secretary cum Commissioner
of Treasuries and Accounts, Chennai.
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5. The Sub Treasury Officer,
Treasury Office,
Tiruchuli, Virudhunagar District.

+1 CC to M/s.S.C.HEROLD SINGH, Advocate (SR-2639[F] dated 23/01/2020)

+1 CC to M/s.SPL GP (SR-2822[F] dated 24/01/2020)

W.P. (MD) No.21309 of 2014

23.01.2020

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