

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 26.03.2021

CORAM :

THE HONOURABLE MR.JUSTICE S.VAIDYANATHAN

W.P.No.7862 of 2021

Dr.M.Rajendran

... Petitioner

Vs.

1. Government of Tamil Nadu,
rep. by Principal Secretary to Government,
Health & Family Welfare Department,
Secretariat, Chennai 600 009.
2. Government of Tamil Nadu,
rep. by the Secretary to Government,
Transport Department,
Secretariat, Chennai 600 009.
3. The Commissioner,
Transport Department,
Ezhilagam, Chempauk,
Chennai 600 005.
4. The Director of Medical Education,
Directorate of Medical Education,
Kilpauk, Chennai 600 010.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India, praying to issue a writ of Mandamus, directing the Respondents to consider the representation made by the Petitioner herein on 10.02.2021 and further direct the Respondents to pass suitable orders for payment of the Petitioner's terminal benefits including General Provident Fund, as the Petitioner had retired from Government Service on attaining the age of superannuation on the afternoon of 31.12.2019 as approved by the 1st Respondent in G.O.(Rt) No.1405, Health & Family Welfare (A1) Department, dated 31.12.2019.

For Petitioner	:	Mr.V.P.Sengottuvel
For Respondents 1 to 3	:	Mrs.P.Rajalakshmi, Additional Government Pleader
For 4 th Respondent	:	Mr.S.Karthikeibalan, Government Advocate

O R D E R

Petitioner has come up with this Writ Petition seeking a direction to the Respondents to consider his representation dated 10.02.2021 and for a further direction to the Respondents to pass suitable orders for payment of his terminal benefits including General Provident Fund.

2. According to the Petitioner, he had retired from Government Service on attaining the age of superannuation on the afternoon of 31.12.2019 as approved by the 1st Respondent in G.O. (Rt) No.1405, Health & Family Welfare (Al) Department, dated 31.12.2019. In respect of his grievance to settle the terminal benefits due to him, the Petitioner made a representation dated 10.02.2021 to the Respondents and the same is pending consideration.

3. Heard the learned counsel on either side and perused the material documents available on record.

4. Considering the facts and circumstances of the case, this Court directs the Respondents herein to consider the Petitioner's representation dated 10.02.2021 in accordance with law, after affording an opportunity of personal hearing to the Petitioner, and pass appropriate orders on the same, within a period of sixty days from the date of receipt of a copy of this order.

5. The Petitioner shall furnish his phone number, Email ID, if any, etc., along with a copy of his representation and a copy of this order to the Respondents, forthwith. Respondents are directed to communicate the decision taken on the representation, to the Petitioner within a period of three weeks from the date of decision taken thereon, by way of SMS/Email/Registered Post/Speed Post, so that there is no need for the parties to file a Contempt Petition after expiry of the specified period. In case, Authorities concerned fail to send communication to the parties, they will have to face civil imprisonment in case of contempt proceedings and, if they are unable to serve the order and the cover being returned unserved for one reason or the other, the same shall be kept in the file without opening it for the sake of proof of delivery, so that the parties, at a later point of time, will not take a plea that, they are not aware of the order of this Court.

With the above direction and observation, this Writ Petition stands disposed of. No costs.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

AEB

To:

1. The Principal Secretary to Government,
Government of Tamil Nadu,
Health & Family Welfare Department,
Secretariat, Chennai 600 009.
2. The Secretary to Government,
Government of Tamil Nadu,
Transport Department,
Secretariat, Chennai 600 009.
3. The Commissioner,
Transport Department, Ezhilagam,
Chepauk, Chennai 600 005.
4. The Director of Medical Education,
Directorate of Medical Education,
Kilpauk, Chennai 600 010.

+2cc to Mr.Sengottuvel, Advocate, S.R.No.20585 & 20686
+1cc to the Government Pleader, S.R.No.20187

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