



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.03.2021

CORAM

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P.No.39506 of 2015

K.Vasudevan

... Petitioners

Vs

The Principal,
Quaid-E-Millath Government,
College for Women, Binny Road,
Chennai - 600 002.

... Respondent

Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the respondent to furnish the Petitioner with No Due Certificate, No Charge Certificate and No Temporary pension arrangement certificate within a stipulated period that may be fixed by this Court by considering the Petitioner representation dated 29.09.2015 enabling the Petitioner to get his pension.

For Petitioner : Ms.R.Anita
for M/s.S.Ramasamy Law Associates

For Respondent : No appearance

ORDER

The relief sought for in this writ petition is to direct the respondent to consider the Petitioner's representation dated 29.09.2015 and issue No Due Certificate, No Charge Certificate and No Temporary pension arrangement certificate, to the petitioner, within a time frame to be stipulated by this Court.

2.According to the petitioner, he joined the respondent College as Lab Assistant on 17.11.1983 and got selection grade on 17.11.1993 and special grade on 17.11.2003 and ultimately, retired from service on 28.02.2015 on reaching the age of superannuation. Subsequently, his pension papers and proposals were sent to the office of the Accountant General through the respondent. On appraisal of the same, by proceedings dated 14.07.2015, the Principal Accountant General authorised the pension payable to the petitioner taking his last drawn pay as Rs.14310 + 4400 only and not Rs.16070 + 4400. When the petitioner enquired about his reduction of pay, the respondent informed that excess amount paid in furtherance of the



recommendations of the one man commission report, was directed to be recovered from the DCRG, other terminal benefits and pension. Challenging the order of recovery, the petitioner filed WP.No.23426 of 2015 and obtained an order of interim injunction. In view of the proceedings dated 14.07.2015 issued by the Principal Accountant General, for sanction of pension to the petitioner, the respondent has to issue no due certificate, no charge certificate and no temporary pension arrangement certificate to the treasury. Seeking those certificates, the petitioner made a representation dated 29.09.2015 to the respondent. However, no action was taken on the same. Hence, the petitioner has no other option except to file this writ petition for the aforesaid relief.

3.Heard the learned counsel for the petitioner and perused the documents enclosed in the typed set of papers. Despite the service of notice and the name of the respondent having been printed in the cause list, there is no representation on their behalf.

4.Considering the limited relief sought in this writ petition, this Court, without going into the merits of the case, directs the respondent to consider the petitioner's representation dated 29.09.2015, if not already considered and pass appropriate orders, on merits and in accordance with law, within a period of eight (8) weeks from the date of receipt of a copy of this order.

5.This Writ Petition is disposed of with the above direction.No costs.

Sd/-
Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

mtl

To

The Principal,
Quaid-E-Millath Government,
College for Women, Binny Road,
Chennai - 600 002.

+lcc to Ms.R.Anitha, Advocate, S.R.No.1976

W.P.No.39506 of 2015

UM(CO)
CT(19/07/2021)