

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.02.2021

CORAM

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P.No.8747 of 2015

And

M.P.No.1 of 2015

K.Mani

... Petitioner

Vs.

1.The Principal Secretary to Government,
Home (Tr.II) Department,
Fort St.George,
Chennai – 600 009.

2.The Transport Commissioner,
Chepauk,
Chennai – 600 005.

3.The Deputy Transport Commissioner,
RTO Office West Building,
Kandampatti Bye – Pass,
Salem,
Salem District.

... Respondents

Prayer:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents to disburse the petitioner's retirement benefits like Gratuity, Earned Leave Salary, sanctioning the Pension and Death Cum Retirement Gratuity Benefits (DCRGB) to the petitioner.

For Petitioner : Mr.C.Prakasam
For Respondents : Mr.A.N.Thambidurai for R1
Special Government Pleader

ORDER

The petitioner has filed this writ petition seeking direction to the respondents to disburse his retirement benefits like Gratuity, Earned Leave Salary, sanctioning the Pension and Death Cum Retirement Gratuity Benefits (DCRGB).

2.The case of the petitioner is that he was appointed as Assistant Motor Vehicles Inspector in the Transport Department during the year 1970 and was promoted as Motor Vehicles Inspector Grade – I and was further promoted as Regional Transport Officer. The petitioner was suspended from service on 28.07.1995 and was not allowed to retire from service on 31.05.2001. Thereafter, vide order dated 02.05.2008, he was imposed with the punishment of dismissal from service and the same was modified by this Court vide order dated 13.02.2012 passed in W.P.No.15208 of 2008 to one of compulsory retirement. Thereafter, the first respondent issued order dated 19.10.2012 for his compulsory retirement, however, his retirement benefits were not disbursed. The petitioner made representation dated 30.01.2015 seeking to disburse his retirement benefits,

however, the same was not considered. Hence, this writ petition.

3.Today, when the matter was taken up for consideration, the learned counsel appearing for the petitioner submitted that the petitioner would be satisfied if the representation of the petitioner dated 30.01.2015 is directed to be disposed of by the respondents, for which, the learned Special Government Pleader appearing for the first respondent has no serious objection.

4.In view of the above, this Court directs the respondents to consider the petitioner's representation dated 30.01.2015, if not already considered, and pass appropriate orders, on merits and in accordance with law, within a period of eight weeks from the date of receipt of a copy of this order.

5.With the above direction, the writ petition stands disposed of. No costs. Consequently, the connected miscellaneous petition is closed.

05.02.2021

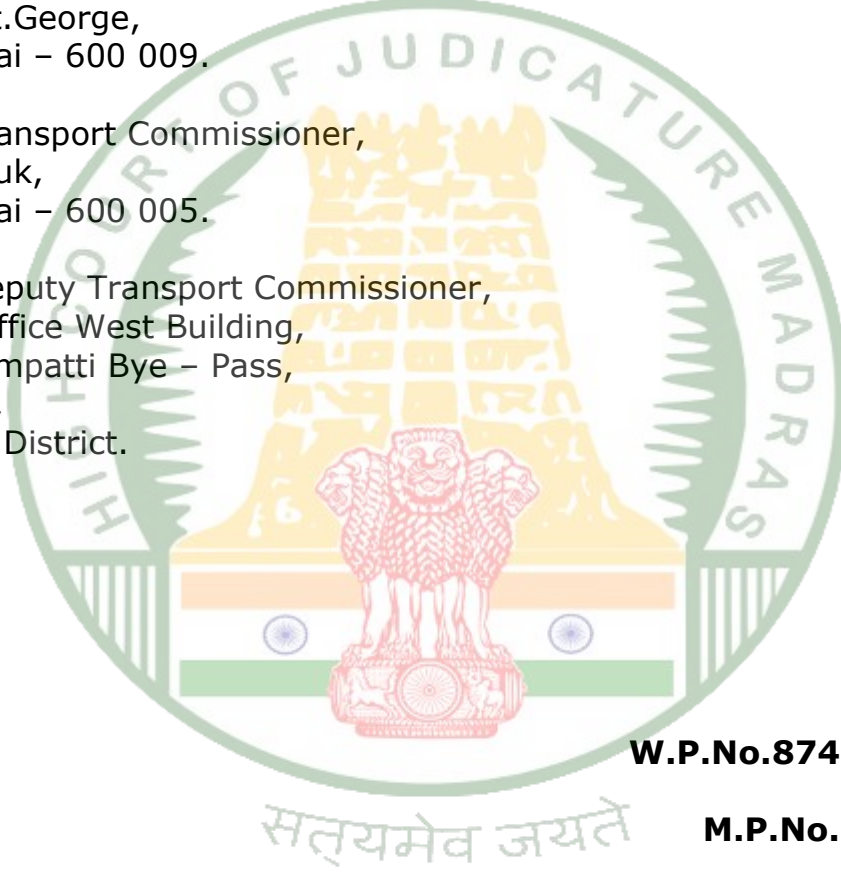
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R.MAHADEVAN,J.
pri

To

- 1.The Principal Secretary to Government,
Home (Tr.II) Department,
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Chennai – 600 009.
- 2.The Transport Commissioner,
Chepauk,
Chennai – 600 005.
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