



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28.06.2021

CORAM:

THE HONOURABLE Mr. JUSTICE S.S.SUNDAR

W.P. No. 13331 of 2021

A.Selvaraj

...Petitioner

Versus

1.The Commissioner,
Salem Corporation, Salem.

2.The Assistant Commissioner (Accounts),
Salem Corporation, Salem.

...Respondents

Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of mandamus directing the respondents herein to forthwith disburse the retirement benefits i.e. the Gratuity, Special Grade Salary, Earn Leave Salary, etc. payable to the petitioner by considering the representations of the petitioner dated 10.10.2020 and 05.01.2021.

For Petitioner : Mr. A.Bharathi

For Respondents : Mr. C.Kathiravan
Government Advocate

O R D E R

This writ petition is filed for issuing a writ of mandamus directing the respondents to forthwith disburse the retirement benefits i.e. the Gratuity, Special Grade Salary, Earned Leave Salary, etc. payable to the petitioner by considering the representations of the petitioner dated 10.10.2020 and 05.01.2021.

2. It is stated that the petitioner was appointed as a Sanitary worker in the respondent's Corporation, Salem. On 30.06.2020, the petitioner was permitted to retire from Service. It is also stated that the Deputy Director of Local Fund Audit, Salem Corporation, approved the Pensionery and Retirement benefits due to the petitioner, by proceedings dated 20.11.2020.



The grievance of the petitioner is that the retirement benefits have not been settled despite the Assistant Commissioner, Salem Corporation, having sanctioned the Pensionary and Retirement benefits on 28.02.2021. The petitioner has sent representations to the respondents on 10.10.2020 and 05.01.2021. Since the Pensionary and Retirement benefits have not been disbursed to the petitioner, this writ petition is filed.

3. Having regard to limited scope of the prayer that can be considered by this Court at this moment and in the interest of justice, this Court is of the view that this Writ Petition can be disposed of with a direction to the first respondent to consider the representations of the petitioner dated 10.10.2020 and 05.01.2021.

4. Accordingly, this Writ Petition is disposed of with a direction to the first respondent to consider the representations of the petitioner dated 10.10.2020 and 05.01.2021 and pass orders on merits and in accordance with law and disburse the pensionary and retirement benefits to the petitioner, if the petitioner is found eligible, within a period of eighteen weeks from the date of receipt of a copy of this order. No costs.

Sd/-

Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

bkn
To

1.The Commissioner,
Salem Corporation, Salem.

2.The Assistant Commissioner (Accounts),
Salem Corporation, Salem.

+1 cc to Government Pleader, Sr.No.29826

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PL[co]
NSK 19/07/2021