

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.01.2021

CORAM

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P.No.28183 of 2014

and

M.P.No.1 of 2014

P.Chinnathambi

... Petitioner

Vs.

1. The Chairman cum Managing Director,
Tamil Nadu Civil Supplies Corporation,
Tambusamy Street, Kilpauk, Chennai - 10.

2. The Regional Manager,
Tamil Nadu Civil Supplies Corporation,
Cuddalore Region, Cuddalore,
Cuddalore District.

... Respondents

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, to direct the respondents to sanction the petitioner's pension and disburse the arrears from the date of retirement on 31.07.2010 together with interest to the petitioner.

For Petitioner : Mr.C.Prakasam

For Respondents: Mr.C.Munusamy
Special Government Pleader

ORDER

This writ petition has been filed seeking a mandamus, directing the respondents to sanction pension and disburse the same along with arrears from the date of retirement i.e., on 31.07.2010 together with interest to the petitioner.

2. According to the learned counsel for the petitioner that the petitioner was appointed as a Load Man in the year 1983 and his service was regularized in the year 2000 and he was allowed to retire from service with effect from 31.07.2010. After retirement, his retiral benefits were not disbursed and only a part payment was made. In this connection, the first respondent sent a communication to the second respondent on 03.09.2013, to send the pension proposal of the petitioner for taking necessary steps. Thereafter, on 08.01.2014, the second respondent called the petitioner to sign the Form 10C.

Accordingly, the petitioner went to the office of the second respondent and signed the papers. However, no progress was made with regard to the claim of the petitioner. Hence, this writ petition.

3. The learned Special Government Pleader appearing for the respondents fairly submitted that the respondents would consider the claim of the petitioner, if it is pending, and pass appropriate orders, on merits, within a time frame to be stipulated by this Court.

4. Considering the grievance of the petitioner that he is yet to receive his pensionary benefits, though he was allowed to retire from service on 31.07.2010 and taking note of the fact that pension is not a bounty, but a valuable right of the petitioner and the same cannot be settled at the whims of the Department, this Court directs the respondents to consider the claim of the petitioner, if not already considered, and pass appropriate orders, on merits and in accordance with law, within a period of six weeks from the date of receipt of a copy of this order.

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

Sd/-

Assistant Registrar (CCC)

//True Copy//

Sub Assistant Registrar

Vrc

To

1. The Chairman cum Managing Director,
Tamil Nadu Civil Supplies Corporation,
Tambusamy Street, Kilpauk, Chennai - 10.
2. The Regional Manager,
Tamil Nadu Civil Supplies Corporation,
Cuddalore Region, Cuddalore, Cuddalore District.

W.P.No.28183 of 2014

GSM(CO)
GN(30/03/2021)