



WEB COPY

IN THE HIGH COURT OF JUDICATURE OF MADRAS

DATED: 20.07.2021

CORAM:

THE HONOURABLE MR. JUSTICE M.S. RAMESH

W.P.No.19189 of 2017
and
W.M.P.No.20725 of 2017

S.Ellammal

...Petitioner

Vs

1.The District Collector,
Thiruvannamalai District.

2.The Tahsildhar,
Cheyyar Taluk,
Office of the Taluk Office,
Thiruvannamalai District.

3.The Accountant General (A&E),
Office of the Accountant General (A&E),
No.361, Anna Salai, Teynampet,
Chennai-600 018.

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the third respondent to approve and pay the DCRG (Death-Cum-Retirement Gratuity) due to the death of petitioner's husband namely Sakrapani to the petitioner forthwith pursuant to the proceedings of the second respondent in Na.Ka.A2/3486/2016 dated 06.01.2017 with applicable interest.

For Petitioner : Mr.A.Ilaya Perumal

For R1 and R2 : Mr.K.Tippu Sulthan,
Government Advocate

For R3 : Mr.S.Balaji

ORDER

By consent of both the parties, this writ petition is taken up for final disposal.



2. The petitioner herein seeks for disbursement of the DCRG benefits due to the death of her husband, namely Sakrapani, who was employed under the respondents 1 and 2 herein. Prior to filing of the writ petition, the petitioner had filed another writ petition in W.P.No.13099 of 2018 and this Court, by an order dated 03.04.2019, had directed the Government to clarify with the Accountant General with regard to the petitioner's entitlement for DCRG benefits. The order passed in that writ petition culminated into filing of contempt petition, in which, this Court, through its order dated 22.04.2014, had recorded the submissions of the learned Additional Government Pleader that the petitioner is entitled for the DCRG benefits in the following manner:

"2.The learned Additional Government Pleader appearing on behalf of the respondent furnished the copy of the letter dated 15.04.2021 issued by the Joint Secretary to Government, Revenue and Disaster Management Department, wherein it is stated that the petitioner is eligible to get the Death-cum-Retirement Gratuity Benefit, and the file is under active consideration to issue amendment to Rule 7,8,9 of Tamil Nadu Village Assistant Pension Rules, 1995. As the process will take few more weeks to issue final orders, the Joint Secretary requested time to pass final orders."

3. It is seen that the petitioner's claim for DCRG benefits is under effective consideration of the Government. While that being so, there shall be a direction to the first respondent herein to consider the petitioner's request for disbursement of the DCRG benefits, in accordance with the orders passed by this Court in Cont.P.No.62 of 2021. The first respondent herein shall ensure that the DCRG benefits are disbursed to the petitioner, atleast within a period of three months from the date of receipt of a copy of this order.

4. The present writ petition stands allowed. No costs. Consequently, connected miscellaneous petition is closed.

-s/d-

Assistant Registrar(CS-IX)

True Copy

Sub-Assistant Registrar

sbn



To

1.The District Collector,
Thiruvannamalai District.

2.The Tahsildhar,
Cheyyar Taluk,
Office of the Taluk Office,
Thiruvannamalai District.

3.The Accountant General (A&E),
Office of the Accountant General (A&E),
No.361, Anna Salai, Teynampet,
Chennai-600 018.

+1 CC to Mr.S.Balaji, Advocate sr 34926
+1 CC to Mr.A.Ilaya Perumal, Advocate sr 34531.
+1 CC to The Government Pleader sr 34958.

W.P.No.19189 of 2017
and
W.M.P.No.20725 of 2017

CA(CO)
SP(19/08/2021)