



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 23.03.2022

CORAM:

THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR

W.P.NO.6691 OF 2022

A.Rita

... Petitioner

Vs.

The Commissioner,
Salem Corporation,
Salem.

... Respondent

Prayer:

Writ petition filed under Section 226 of the Constitution of India seeking to issue a Writ of Mandamus, directing the respondent herein to forthwith consider and pass orders on the Representations of the petitioner dated 22.10.2021 and 31.01.2022 submitted to disburse the retirement benefits namely D.C.R.G., Commutation, Special Grade Salary, Earn Leave Encashment, Unearned Leave Encashment on private affairs, Earned Leave Surrender Salry, Pay commission Arrears, etc., with permissible interest.

For Petitioner	: Mr.K.Balasubramani
For Respondent	: Mr.S.Sathish
	Standing Counsel

ORDER

By consent of both parties, this Writ Petition is taken up for final disposal at the admission stage itself.

2. This writ petition has been filed seeking to issue a Writ of Mandamus, directing the respondent herein to forthwith consider and pass orders on the Representations of the petitioner dated 22.10.2021 and 31.01.2022 submitted to disburse the retirement benefits namely D.C.R.G., Commutation, Special Grade Salary, Earn Leave Encashment, Unearned Leave Encashment on private affairs, Earned Leave Surrender Salry, Pay commission Arrears, etc., with permissible interest.



3. The case of the petitioner in brief:

The petitioner herein was appointed as Junior Assistant under the respondent Corporation. Due to unavoidable family situation, he was not able to continue the said post therefore, he has submitted an application before the respondent Corporation for Voluntary Retirement from service. Subsequently, he was permitted to retire from service vide proceedings in Na.Ka.No.L7/570/2021 dated 07.05.2021. Further, the respondent Corporation has sanctioned pensionary and retirement benefits to the petitioner, but, petitioner has been receiving the monthly pension alone. The respondent Corporation vide his proceeding in Ni.Mu.No.A1/164/2021 dated 07.09.2021 sanctioned the retirement benefits to the petitioner which was applicable to him. But, the same was not disbursed till date. Therefore, the petitioner made representations dated 22.10.2021 and 31.01.2022 to the respondent for disbursement of his retirement benefits, but the same has not been considered till date. Hence, he filed this writ petition before this Court.

4. Mr.S.Sathish, learned learned Standing Counsel takes notice for the respondent and he would submit that, if any such representation of the petitioner was received by the respondent, the same will be considered on merits and in accordance with law within a time as specified by this Court.

5. Inview of the above submissions and also considering the limited scope of prayer, without expressing any opinion on merits, this Court is inclined to direct the respondent to consider the representation of the petitioner dated 31.01.2022 and pass orders on its own merits, in accordance with law, within a period of twelve weeks from the date of receipt of a copy of this order.

6. With the above direction, the writ petition stands disposed of at the admission stage itself. No costs.

Sd/-

Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

ata/uma



To

The Commissioner,
Salem Corporation,
Salem.

W.P.No.6691 of 2022

SVI (CO)
PM/11/04/2022