



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 23.03.2022

CORAM:

THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR

W.P.NO.6693 OF 2022

Kalarani

... Petitioner

Vs.

1. The Commissioner,
Salem Corporation,
Salem.

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

... Respondents

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 disburse the terminal and retirement benefits namely Gratuity, Earned Leave Salary, Unearned Leave Salary, Commutation, Pay Commission Arrears, etc., with permissible interest payable to the petitioner by considering the representation of the petitioner dated 22.10.2021 and 23.12.2021.

For Petitioner : Mr.K.Balasubramani

For Respondents : 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 disburse the terminal and retirement benefits namely Gratuity, Earned Leave Salary, Unearned Leave Salary, Commutation, Pay Commission Arrears, etc., with permissible interest payable to the petitioner by considering the representation of the



petitioner dated 22.10.2021 and 23.12.2021.

3. The case of the petitioner in brief:

The petitioner's husband was working as Junior Assistant under the respondent Corporation and while he was in service, he died on 07.04.2020. After his death, the terminal benefits have not been disbursed inspite of several representations made by the petitioner. Finally, the Deputy Director of Local Audit, Salem Corporation, Salem, by his proceedings in Ni.Mu.No.203/A1/2020 dated 13.08.2020 granted approval to pay the terminal benefits, however, no monetary benefits have been paid to the petitioner. Pursuant to the aforesaid proceedings, the 2nd respondent herein by his proceedings in Na.Ka.No.J1/2496/2020 dated 14.08.2020 sanctioned the terminal / retirement benefits. But, the same was not disbursed till date. Therefore, the petitioner made representations dated 22.10.2021 and 23.12.2021 to the respondents for disbursement of the terminal 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 respondents and he would submit that, if any such representation of the petitioner was received by the respondents, 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 respondents to consider the representation of the petitioner dated 23.12.2021 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

1. The Commissioner,
Salem Corporation,
Salem.

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

W.P.No.6693 of 2022

SVI (CO)
PM/11/04/2022