



WEB COPY



W.P.No.6750 of 2019

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.10.2022

CORAM

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No.6750 of 2019

Dr.M.Satyanarayana Raju

... Petitioner

Vs.

1.The Union of India

Rep. by its Secretary to Government
Ministry of Home Affairs
New Delhi.

2.The Secretary to Government Cum Chairman, PVCS

Animal Husbandry and Animal Welfare Department
Government of Union Territory of Puducherry
Puducherry.

3.The Dean

Rajiv Gandhi Institute of Veterinary Education and Research
Pondicherry Veterinary College Society
Kurumbapet
Puducherry – 605 009.

4.The Secretary to Government

Department of Personnel and Administration Reforms
Government of Union Territory of Puducherry
Puducherry.

... Respondents



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Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the respondents to disburse the retiral benefits due to the petitioner including Gratuity, Commutation, Earned Leave Encashment and all such sums as may be payable to the petitioner and the monthly pension payable to the petitioner as per the pension payment order dated 30.04.2018 and the arrears of monthly pension due to the petitioner with interest at the rate of 18% per annum with effect from 01.05.2018 till the date of disbursement.

For Petitioner	: Mr.R.Venkatesh
For R1	: Mr.S.S.Pajaniradja Central Government Standing Counsel
For R2 & R4	: Mrs.R.Usha Additional Government Pleader [Pondicherry]
For R3	: No Appearance

ORDER

The relief sought for in the present writ petition is to direct the respondents to disburse the retiral benefits due to the petitioner including Gratuity, Commutation, Earned Leave Encashment and all such sums as may be payable to the petitioner and the monthly pension payable to the petitioner as per the pension payment order dated 30.04.2018 and the



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arrears of monthly pension due to the petitioner with interest at the rate of 18% per annum with effect from 01.05.2018 till the date of disbursement.

2. The petitioner served as Professor and Head, Veterinary Gynaecology and Obstetrics in the 3rd respondent / Institute. The petitioner was allowed to retire from service on 30.04.2018 on attaining the age of superannuation.

3. The learned counsel for the 4th respondent has made a submission that the terminal benefits due to the writ petitioner Dr.M.Satyanarayana Raju is yet be settled.

4. This Court is of the considered opinion that the terminal and pensionary benefits due to the employees are to be settled without any undue delay. If at all any disciplinary proceedings are pending or otherwise, then alone the benefits can be withheld, but not otherwise. In the present case, there is no such disciplinary proceedings or otherwise is pending against the writ petitioner. Thus, the respondents are bound to settle the benefits due to the petitioner.



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5. Accordingly, the respondents are directed to settle all the terminal and pensionary benefits due to the writ petitioner in accordance with law and by following the procedures as contemplated within a period of 12 weeks from the date of receipt of a copy of this order.

6. With the above direction, the Writ Petition stands disposed of. No costs.

28.10.2022
(1/2)

Jeni

Index : Yes
Speaking order

To

- 1.The Secretary to Government
The Union of India
Ministry of Home Affairs
New Delhi.
- 2.The Secretary to Government Cum Chairman, PVCS
Animal Husbandry and Animal Welfare Department
Government of Union Territory of Puducherry
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S.M.SUBRAMANIAM, J.

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