



W.P.No.30562 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.11.2022

CORAM

THE HONOURABLE MR.JUSTICE ABDUL QUDDHOSE

W.P.No.30562 of 2022

R.Ramakrishnan

... Petitioner

Vs

The Chengalpet District Collector,
Chengalpet,
Chengalpet District.

... Respondent

Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus to direct the respondent to disburse all the DCRG, Pension, Commutation of pension, encashment of surrender of earned leave and unearned leave on private affairs, GPF amount and all other retirement and pensionary benefits due and payable to the petitioner except withholding an amount of Rs.17,850/- alone.

For Petitioner

...

Mr.M.Ravi

For Respondent

...

Mr.S.Balathandayutham,
Special Government Pleader



W.P.No.30562 of 2022

WEB COPY

ORDER

This writ petition has been filed for a mandamus seeking for a direction to the respondent to disburse the petitioner's DCRG, pension, commutation of pension, encashment of surrender of earned leave and unearned leave on private affairs, GPF amount and all other retirement and pensionary benefits due and payable to him, except withholding an amount of Rs.17,850/- alone.

2. Mr.S.Balathandayutham, learned Special Government Pleader accepts notice on behalf of the respondent. By consent of both parties, this writ petition is taken up for final disposal in the admission stage itself.

3. Eventhough a positive direction has been sought for by the petitioner in this writ petition, learned counsel for the petitioner would now submit that the petitioner will be satisfied if the petitioner's representation is considered on merits and in accordance with law.

4. The petitioner claims that he was allowed to retire from service on 31.08.2022. However, disciplinary proceedings are pending against him



W.P.No.30562 of 2022

According to him, the aforementioned amounts have not been disbursed till date, despite he being allowed to retire.

5. Heard Mr.M.Ravi, learned counsel for the petitioner and Mr.S.Balathandayutham, learned Special Government Pleader appearing for the respondent.

6. It is now brought to the notice of this Court by the learned Standing Counsel appearing for the respondent that by a proceeding of the District Collector dated 13.10.2022, encashment of 240 days of Earned Leave and encashment of 180 days of Unearned Leave available at the credit of the petitioner have been sanctioned. However, learned counsel for the petitioner is not aware of the same.

7. This Court is of the considered view that no prejudice would be caused to the respondent, if the petitioner is allowed to give a fresh representation to the respondent requesting them to disburse all his eligible retirement benefits and on receipt of the said representation, a direction is issued to the respondent to consider the same on merits and in accordance with law and pass final orders.



W.P.No.30562 of 2022

8. For the foregoing reasons, this Court directs the petitioner to submit a fresh representation to the respondent requesting them to disburse all the DCRG, Pension, Commutation of pension, encashment of surrender of earned leave and unearned leave on private affairs, GPF amount and all other retirement and pensionary benefits due and payable to the petitioner except withholding an amount of Rs.17,850/- alone, within a period of one week from the date of receipt of a copy of this Order. On receipt of the said representation, the respondent shall pass final orders on merits and in accordance with law within a period of four weeks thereafter.

9. With the aforesaid directions, this writ petition is disposed of. No costs.

17.11.2022

nl

Index: Yes/ No
Speaking Order/Non-speaking Order



W.P.No.30562 of 2022

To
WEB COPY

The Chengalpet District Collector,
Chengalpet,
Chengalpet District.



WEB COPY



W.P.No.30562 of 2022

ABDUL QUDDHOSE, J.

nl

W.P.No.30562 of 2022

17.11.2022