



W.P.No.30430 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16.11.2022

CORAM:

THE HON'BLE MR. JUSTICE ABDUL QUDDHOSE

W.P.No.30430 of 2022

V.Palanivelu

... Petitioner

Versus

1. The Director cum Mission Director,
Integrated Child Development Project Officer (ICDS),
Tharamani,
Chennai District.

2. The District Project Officer,
Integrated Child Development Project Officer (ICDS).
5th Floor, New Collector Office Building,
Erode District.

3. The Child Development Project Officer,
79/1, Old Solakkalipalayam Road,
Kodumudi, Erode-638 151

.... Respondents

Writ Petition filed under Article 226 of the Constitution of India praying this Court to issue a writ of Mandamus directing the first respondent to settle the petitioner retirement benefits including leave salary, gratuity and all other attendant retirement benefits etc., with interest at the rate of not less than 12% per annum payable from the date of retirement and further directing the respondents to pay interest at the rate of 12% per annum for the belated settlement of retirement benefits such as provident fund the commuted value of pension etc., to the petitioner payable from the date of retirement i.e., from



W.P.No.30430 of 2022

30.06.2022 till the date of actual payment to the petitioner by considering the petitioner's representation dated 21.10.2022 within a time frame to be fixed by this Court.

For Petitioner : Mr.A.Saravanan

For Respondents :Mrs.S.Anitha
Spl.G.P

ORDER

This writ petition has been filed for a Mandamus seeking for a direction to the respondents to settle the petitioner's retirement benefits including leave salary, gratuity and all other attendant retirement benefits etc., with interest at the rate of not less than 12% per annum payable from the date of petitioner's retirement to till date based on the petitioner's representation dated 21.10.2022.

2. The petitioner retired from service as Superintendent on 30.06.2022. According to the petitioner, there is no complaint against him and no disciplinary proceedings are pending against him. The petitioner claims that he has an unblemished track record. However, the petitioner contends that till date, the respondents have not paid the retirement benefits to him. In such circumstances, the petitioner has given a representation dated 21.10.2022 requesting for payment of his retirement benefits. Since the representation has not been considered till date, the petitioner has filed this writ petition.



W.P.No.30430 of 2022

WEB COPY

3. Heard Mr.A.Saravanan learned counsel appearing for the petitioner and Mrs.S.Anitha, learned Special Government Pleader accepts notice on behalf of the respondents. By consent of both the parties, the main writ petition has been taken up for final disposal.

4. Learned Special Government Pleader appearing for the respondents has placed before this Court the Proceedings dated 28.06.2022 with regard to the petitioner's request for retirement benefits.

5. It is seen from the Proceedings that the petitioner has not submitted the proposal form.

6. The learned Special Government Pleader has submitted that the petitioner's request for payment of retirement benefits is under process and once the petitioner satisfies all the documentary requirements for the same, the respondents will disburse the retirement benefits to the petitioner.

7. The said statement is recorded. No prejudice would be caused to



W.P.No.30430 of 2022

the respondents if the petitioner's representation dated 21.10.2022 requesting for payment of his retirement benefits is considered on merits and in accordance with law within a time frame to be fixed by this Court.

8. For the foregoing reasons, after recording the submissions made by the learned Special Government Pleader appearing for the respondents that the petitioner's request for disbursement of his retirement benefits is under process, this Court directs the first respondent to pass final orders on merits and in accordance with law on the petitioner's representation dated 21.10.2022, seeking for to settlement of the retirement benefits including leave salary, gratuity and all other attendant retirement benefits etc., within a period of eight weeks from the date of receipt of a copy of this order.

With the aforesaid direction, the writ petition is disposed of. No costs.

16.11.2022

sr

Index: Yes/No

Speaking Order/Non-Speaking Order



W.P.No.30430 of 2022

To

WEB COPY

1. The Director cum Mission Director,
Integrated Child Development Project Officer (ICDS),
Tharamani,
Chennai District.
2. The District Project Officer,
Integrated Child Development Project Officer (ICDS).
5th Floor, New Collector Office Building,
Erode District.
3. The Child Development Project Officer,
79/1, Old Solakkalipalayam Road,
Kodumudi, Erode-638 151



WEB COPY



W.P.No.30430 of 2022

ABDUL QUDDHOSE, J.

sr

2022

W.P.No.30430 of

16.11.2022