



WEB COPY

W.P.No.398 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:09.01.2023

CORAM:

THE HONOURABLE MR.JUSTICE ABDUL QUDDHOSE

W.P.No.398 of 2023

S.Ramachandran

... Petitioner

vs.

1.The Commissioner,
Salem Corporation, Salem - 636 001.

2.The Assistant Commissioner (Accounts),
Salem Corporation, Salem 636 001.

...Respondents

Prayer: Writ petition filed under Article 226 of the Constitution of India for writ of Mandamus directing the respondent herein to forthwith consider and pass orders on the representations of the petitioner dated 14.10.2022 and 31.10.2022 submitted to settle the retirement benefits i.e., the Gratuity, Commutation, Earned Leave Salary, Special Provident Fund etc., to the petitioner.

For Petitioner : Ms.A.Bharathi

For Respondents : Ms.N.Devi,
Standing Counsel



ORDER

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This writ petition has been filed for a mandamus seeking for a direction to the respondents to consider the petitioner's representations dated 14.10.2022 and 31.10.2022 requesting for settling his retirement benefits i.e., Gratuity, Commutation, Earned Leave Salary, Special Provident Fund etc.

2. Ms.N.Devi, learned Standing Counsel accepts notice on behalf of the respondents. By consent of both the parties, this writ petition is taken up for final disposal in the admission stage itself.

3. The grievance of the petitioner in this writ petition is that his retirement benefits i.e., Gratuity, Commutation, Earned Leave Salary, Special Provident Fund etc., has not been paid to him till date, despite he having retired on 30.04.2022. The petitioner has given representations on 14.10.2022 and 31.10.2022 to the respondents requesting them to pay the aforementioned retirement benefits. Since the representations have not been considered till date, he has filed this writ petition.



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4. Heard Ms.A.Bharathi, learned counsel for the petitioner, Ms.N.Devi, learned Standing Counsel appearing for the respondents.

5. On instructions, learned Standing Counsel appearing for the respondent Corporation would submit that a part of the retirement benefits has already been paid to the petitioner which fact is not disputed. However learned counsel for the petitioner would submit that the balance amount has not been paid till date.

6. No prejudice would be caused to the respondents, if the petitioner's representation as stated supra is considered on merits and in accordance with law, within a time frame to be fixed by this Court.

7. For the foregoing reasons, this Court directs the first respondent to pass final orders on merits and in accordance with law on the petitioner's representations dated 14.10.2022 and 31.10.2022 seeking for payment of his retirement benefits i.e., Gratuity, Commutation, Earned Leave Salary, Special Provident Fund etc., within a period of twelve weeks from the date of receipt of a copy of this Order.



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

costs.

09.01.2023

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Index: Yes/No

Internet: Yes/No

Speaking/Non-speaking orders

Neutral citation: Yes/No



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To

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- 1.The Commissioner,
Salem Corporation, Salem - 636 001.
- 2.The Assistant Commissioner (Accounts),
Salem Corporation, Salem 636 001.



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ABDUL QUDDHOSE, J.
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