



WEB COPY

W.P.No.402 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:09.01.2023

CORAM:

THE HONOURABLE MR.JUSTICE ABDUL QUDDHOSE

W.P.No.402 of 2023

R.Selvarani

... Petitioner

vs.

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

...Respondent

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 representation of the petitioner dated 21.06.2022 submitted for disbursement of her retirement benefits i.e., Gratuity, Commutation, Earned Leave Salary, Arrears of Pension, Pay Commission Arrears etc., with interest.

For Petitioner : Ms.A.Bharathi

For Respondents : Ms.N.Devi,
Standing Counsel



ORDER

This writ petition has been filed for a mandamus seeking for a direction to the respondent to consider the petitioner's representations dated 21.06.2022 requesting for disbursement of her retirement benefits i.e., Gratuity, Commutation, Earned Leave Salary, Arrears of Pension, Pay Commission Arrears etc., with interest.

2. Ms.N.Devi, learned Standing Counsel accepts notice on behalf of the respondent. 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 her retirement benefits i.e., Gratuity, Commutation, Earned Leave Salary, Arrears of Pension, Pay Commission Arrears etc., with interest has not been paid to her till date, despite she having retired on 05.01.2022. The petitioner has given representation on 21.06.2022 to the respondents requesting them to pay the aforementioned retirement benefits. Since the representation has not been considered till date, she 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 respondent.

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 respondent, 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 respondent to pass final orders on merits and in accordance with law on the petitioner's representation dated 21.06.2022 seeking for disbursement of her retirement benefits i.e., Gratuity, Commutation, Earned Leave Salary, Arrears of Pension, Pay Commission Arrears etc., with interest, 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.



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ABDUL QUDDHOSE, J.
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