



WEB COPY



W.P.No.1320 of 2020

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.10.2023

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THE HONOURABLE MS. JUSTICE R.N.MANJULA

W.P.No.1320 of 2020

G.Rathinam

... Petitioner

Vs.

1.The Tamil Nadu Housing Board,
Rep by its Managing Director,
493, Anna Salai, Chennai - 600 035.

2.The Tamil Nadu Housing Board,
Coimbatore Housing Unit,
Tatabad, Gandhipuram,
Coimbatore - 641 012,
Rep by its Executive Engineer &
Administrative Officer.

3.The Director,
Local Fund Audit,
Kuralagam, Chennai.

(R3 suo motu impleaded vide order dated
17.07.2023 made in W.P.No.1320 of 2020)

... Respondents

Prayer : Writ Petitions filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus to direct the respondents to settle the remaining pension, family pension and all other pensionary benefits



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accrued to the petitioner on her retirement on 30.04.2012 with interest at 18% per annum for belated payment.

For Petitioner : Mr.N.Krishnakumar
For Respondents : Mr.D.Veerasekaran, Standing Counsel for
TNHB, R1 & R2
Mr.G.Nanmaran, SGP for R3

ORDER

This Writ Petition has been filed seeking issuance of Writ of Mandamus to direct the respondents to settle the remaining pension, family pension and all other pensionary benefits accrued to the petitioner on her retirement on 30.04.2012 with interest at 18% per annum for belated payment.

2. Heard Mr.N.Krishnakumar, learned counsel for the petitioner and Mr.D.Veerasekaran, learned Standing Counsel for the first and second respondents and Mr.G.Nanmaran, learned Special Government Pleader appearing for the third respondent.

3. The learned Standing Counsel for the respondents 1 and 2 submitted that the pensionary benefits of the petitioner can be sanctioned



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only after obtaining the audit certificate of the Local Fund Audit. Since certain objections have been raised by the Local Fund Audit, the first respondent has resubmitted the pension proposal.

4. It appears from the records that the Government has issued orders for relaxation of age of the petitioner vide proceedings No.PNT 1/4664/2012 dated 13.12.2017. Pursuant to that, the first respondent has sent a revised proposal. However, the Local Fund Audit once again returned the file by seeking further clarification and the same cannot be complied in view of loss of service records due to damage caused in the flood in the year 2015.

5. However, it is seen from the Counter of the first respondent that the pension proposal has been sent to the Pension Section after the same has been processed by the Local Fund Audit. So it is pending with the Local Fund Audit for issuance of audit certificate. In such case, it is for the first respondent to do necessary follow up and see that the audit certificate is issued within the period of four weeks and see the



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pensionary benefits and other dues to be settled are given to the petitioner without any further delay.

6. With the above observations, this Writ Petition is disposed and the first respondent is directed to follow up and see that the audit certificate is issued within a period of four weeks from the date of receipt of a copy of this order and see the pensionary benefits and other dues are settled to the petitioner without any further delay. No costs.

19.10.2023

Index : Yes

Internet : Yes/No

gsk



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To

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1. The Managing Director,
The Tamil Nadu Housing Board,
493, Anna Salai, Chennai - 600 035.
2. The Executive Engineer &
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The Tamil Nadu Housing Board,
Coimbatore Housing Unit,
Tatabad, Gandhipuram,
Coimbatore - 641 012,
3. The Director,
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R.N.MANJULA, J.

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