



WEB COPY



W.P.No.6953 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07.06.2023

CORAM:

THE HONOURABLE MR. JUSTICE M.S. RAMESH

W.P.No.6953 of 2022

A.Saroja

...Petitioner

Vs

1. The Principal Accountant General (A&E),
361, Anna Salai, Chennai-600 018.

2. The District Treasury,
Nagercoil District,
Nagercoil.

3. The District Elementary Educational Officer,
Nagercoil District, Nagercoil.

4. The Correspondent,
Dathie Nursery School, Nagercoil

.. Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents to settle the retirement benefits including pension due to be paid to the petitioner with statutory interest of 18% per annum from 28.02.2020 till the date of payment within a time frame by considering the petitioner's representation dated 16.12.2019.



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For Petitioner : Mr.R.Jayaprakash
For Respondents : Ms.J.Sree Vidya
Standing Counsel
For R.1
Mr.S.Rajesh
Government Advocate
For R.2 and R.3

ORDER

Though the petitioner retired from service on 28.02.2020, the retirement and pensionary benefits have not been disbursed to her, which prompted the petitioner to file the present writ petition.

2. Today when the matter was called, the 3rd respondent herein has filed counter affidavit dated 27.07.2022 and in Paragraph No.7 of the said counter affidavit, the Department had stated that they have issued orders to claim in regular time scale of pay and that the petitioner is eligible for pension. It is also stated therein that the fourth respondent has not submitted necessary proposal and if it is done, they would process the same.

3. Though the fourth respondent has been served and name has been printed in the cause list, none appears for the fourth respondent.



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4. The petitioner submits that the required application dated 16.12.2019 to the first respondent through fourth respondent has been submitted, but the fourth respondent has not forwarded the said application to the third respondent herein.

5. In this connection, there shall be a direction to the fourth respondent herein to forthwith forward the petitioner's application dated 16.12.2019 together with required proposal for disbursement of retirement benefits and grant of pension and on receipt of such proposal, the third respondent shall process the same in accordance with law within a period of four weeks thereafter.

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

07.06.2023

Index:Yes/No
Speaking order/Non-speaking order
sr



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M.S.RAMESH,J.

sr

To

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Nagercoil.
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