



W.P.No.9943 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 31.03.2023

CORAM

THE HON'BLE MRS. JUSTICE V. BHAVANI SUBBAROYAN

Writ Petition No.9943 of 2023

A.Fathima Rani

... Petitioner

Versus

The Commissioner,
Salem Corporation,
Salem.

... Respondent

Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondent herein to forthwith disburse the retirement benefits i.e., the Gratuity, Earn Leave Salary, Special leave Salary, Provident Funds, Special Provident Funds, Arrears of Pension, etc, to the petitioner by considering her representation dated 18.12.2022.

For Petitioner : A.Bharathi

For Respondent : Mrs.N.Devi,
Standing Counsel



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ORDER

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The Writ Petition is filed in the nature of a Writ of Mandamus directing the respondent Corporation to disburse the retirement benefits i.e., the Gratuity, Earn Leave Salary, Special leave Salary, Provident Funds, Special Provident Funds, Arrears of Pension, etc, to the petitioner by considering her representation dated 18.12.2022, forthwith.

2. By the consent of both parties, the present Writ Petition is taken up for final disposal.

3. The case of the petitioner is that the petitioner was initially appointed as Maternity Assistant on 18.12.1988 in Salem Municipality and subsequently, she was promoted to the Post of Urban Health Nurse under the control of the respondent Corporation. She has rendered several years of unblemished records of service. By proceedings in Na.Ka.No.F3/10846/2019, dated 30.06.2022, she was permitted to retire from service on 30.06.2022. Pursuant to her retirement, the Deputy Director, Salem Corporation sanctioned the pensionary and



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retirement benefits, she has been receiving monthly pension alone from the date of her retirement and that her other retirement benefits have not been disbursed till date. The petitioner is very sick both physically and financially due to non disbursement of her retirement benefits. In these circumstances, the petitioner made a representation dated 18.12.2022 to the respondent Corporation, seeking for taking necessary action. However, since no action was taken on the part of the respondent/ Corporation, the petitioner was constrained to file this present Writ Petition before this Court.

4. The learned Standing Counsel appearing for the respondent/ Corporation submitted that the representation given by the petitioner would be considered by the authorities concerned and appropriate orders would be passed on its own merits.

5. In view of the above submission, this Court is inclined to pass an order directing the respondent/Corporation to consider the petitioner's representation dated 18.12.2022 and pass appropriate orders on its own merits and in accordance with law, as early as



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possible, preferably within a period of eight weeks from the date of receipt of a copy of this order.

6. With the above direction, this writ petition is disposed of.

There shall be no order as to costs.

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(2/5)

ssi

Index : Yes/No

Internet : Yes/No

To:

The Commissioner,
Salem Corporation, Salem – 636 001.

V.BHAVANI SUBBAROYAN,J.



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