



WEB COPY



W.P.No.9948 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.9948 of 2023

F.Mary Therasa Rani

... Petitioner

Versus

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

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

... Respondents

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, Commutation, Earn Leave Salary, Provident Funds, Special Provident Funds, Arrears of Pension, etc, to the petitioner by considering her representations dated 04.01.2023 and 25.01.2023.

For Petitioner : A.Bharathi

For Respondents : 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, Commutation, Earn Leave Salary, Provident Funds, Special Provident Funds, Arrears of Pension, etc, to the petitioner by considering her representations dated 04.01.2023 and 25.01.2023, forthwith.

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

3. The case of the petitioner is that the petitioner was initially appointed as Typist on 26.03.1996 in Salem Municipality and subsequently, she was promoted to several posts and finally, she was promoted to the Post of Superintendent under the control of the respondent/Corporation. She has rendered several years of unblemished records of service. By proceedings in Na.Ka.No.J1/0001/2022, dated 13.01.2022, she was informed that she will be permitted to retire from service on 30.06.2022. Pursuant to her retirement, the Deputy Director,



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Salem Corporation had issued No Objection for her retirement from the service and the Assistant Commissioner, Salem Corporation sanctioned retirement benefits, but she has not been receiving retirement benefits and has not been disbursed till date. The petitioner became very sick both physically and financially, due to the non disbursement of her retirement benefits. Hence, the petitioner made representations dated 04.01.2023 and 25.01.2023 to the respondent/Corporation, to take necessary action at the earliest. 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 representations 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 representations dated 04.01.2023 and 25.01.2023 and pass



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appropriate orders on its own merits and in accordance with law, as early as 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. No order as to costs.

31.03.2023
(4/5)

ssi
Index : Yes/No
Speaking Order : Yes/No
Neutral Citation: Yes/No

To:

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



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V.BHAVANI SUBBAROYAN,J

ssi

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