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W.P.No.9953 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.9953 of 2023

V.Raja

... 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 pensionary and terminal benefits i.e., Death-cum-Retirement Gratuity, enhancement of Earn Leave Salary, Pay Commission Arrears, etc., with interest to the petitioner by considering the representation of the petitioner dated 09.10.2022.

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 pensionary and terminal benefits i.e., Death-cum-Retirement Gratuity, enhancement of Earn Leave Salary, Pay Commission Arrears, etc., with interest to the petitioner by considering the representation of the petitioner dated 09.10.2022, 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 initially, the petitioner's wife namely R.Rani was appointed as Health Worker under the control of the respondent corporation. While, she was in service, she had rendered unblemished records of service and suddenly died, due to her ill health in spite of taking treatment on 03.04.2022. The petitioner is aged about 62 years and he approached the office of the respondent/Corporation in person and requested them to settle the pensionary and terminal benefits payable to his wife viz., Rani. By proceedings in



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Na.Ka.No.F3/3659/2022, dated 09.09.2022, sanctioned the retirement benefits to the petitioner's wife however, the same has not been disbursed to him till date. Since the petitioner is an age old person, he is not in a position to meet out the family expenses day-to-day due to non disbursement of retirement benefits. Hence, the petitioner made a representation dated 09.10.2022 to the respondent/Corporation, to take necessary action to disburse the retirement benefits. 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 09.10.2022 and pass appropriate



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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
(5/5)

ssi

Index : Yes/No

Speaking Order : Yes/No

Neutral Citation :Yes/No

To:

The Commissioner,
Salem Corporation, Salem.



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V.BHAVANI SUBBAROYAN,J.

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