



W.P.No.11127 of 2021

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.11.2023

CORAM

THE HONOURABLE Ms.JUSTICE R.N.MANJULA

W.P. No.11127 of 2021

K.Jayaraman

...

Petitioner

/vs/

1. The Government of Tamil Nadu,
rep. by Additional Secretary to Government,
Micro, Small and Medium Enterprises Department,
Secretariat, Chennai – 600 009.

2. The Principal Accountant General (A & E),
Tamil Nadu, Chennai – 600 018.

... Respondents

Writ Petition is filed under Article 226 of the Constitution of India to issue a writ of mandamus directing the respondents herein to pass appropriate orders to sanction and disburse the entire DCRG amount and Regular Pension to the petitioner herein within a limited time frame.

For Petitioner	...	Mr.M.Ravi
For Respondents	...	Mr.P.Sanjai Gandhi
		Government Advocate



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ORDER

This Writ Petition has been filed for the issuance of a writ of mandamus directing the respondents herein to pass appropriate orders to sanction and disburse the entire DCRG amount and Regular Pension to the petitioner herein within a limited time frame.

2. The petitioner was allowed to retire from service in the year 2017 despite some complaints have been made against him. Earlier in view of the pending criminal complaints, he was kept under suspension. But so far, the retirement and pensionary benefits of the petitioner has not been settled. The respondents have chosen to retire the petitioner from 31.05.2016 subject to the disciplinary action taken against the petitioner.

3. Mr.M.Ravi, learned counsel for the petitioner, submitted that there is no complaint against the petitioner and there was no revenue loss caused by him and hence the respondents are bound to disburse the DCRG and other pensionary benefits, for which the petitioner is entitled.



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4. Mr.P.Sanjai Gandhi, learned Government Advocate submitted that the pension for the petitioner has been sanctioned at Rs.10,061/- and it was sent to the office of Accountant General for approval; the retirement benefits like the Gratuity, Leave Encashment, etc. have also been granted to the petitioner even though a criminal case is pending.

5. Since the respondents claim that the retirement benefits of the petitioner got settled, nothing remains to be considered in this writ petition. However, it is up to the petitioner to file any appropriate proceedings for seeking interest if the delay on the part of the respondents is wanton and unnecessary.

6. In view of the above observation, this writ petition is disposed. No costs.

16.11.2023

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



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R.N.MANJULA ,J.

bkn

To:

1. The Additional Secretary to Government,
Government of Tamil Nadu,
Micro, Small and Medium Enterprises Department,
Secretariat, Chennai – 600 009.
2. The Principal Accountant General (A & E),
Tamil Nadu, Chennai – 600 018.

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