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W.P.No.11616 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20.06.2023

CORAM:

THE HONOURABLE MR. JUSTICE M.S. RAMESH

W.P.No.11616 of 2023

D.Kumar

... Petitioner

Vs

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

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

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the respondents herein to forthwith disburse the retirement benefits i.e. the Gratuity, Commutation, Arrears of Pension etc. to the petitioner by considering his representation dated 11.02.2023.

For Petitioner : Mr.A.Bharathi

For Respondents : Mrs.Devi,
Standing Counsel for R1



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ORDER

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Heard Mr.A.Bharathi, learned counsel for the petitioner and Mrs.Devi, learned Standing Counsel for the first respondent.

2.The writ petition has been filed, seeking for a direction to the respondents to forthwith disburse the retirement benefits i.e. the Gratuity, Commutation, Arrears of Pension etc. to the petitioner by considering his representation dated 11.02.2023.

3.The petitioner herein claims to have joined the respondent Department on 13.11.1989 as a Un-skilled Worker. After 32 years of service, he was permitted to retire on 30.09.2021.

4.The grievance of the petitioner is that the respondents had not disbursed the retirement benefits till date. The representation in this regard have not been considered, which had prompted in filing the present writ petition.

5.While the learned counsel for the petitioner would submit that



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the petitioner has not received any retirement benefits, the learned Standing Counsel for the first respondent Corporation submitted that a portion of the retirement benefits has already been paid to the petitioner.

6.In view of the disputed facts, I am of the view that the petitioner may be granted liberty to make a representation seeking for disbursement of the retirement benefits and the first respondent be directed to consider the same, within a stipulated time.

7.In the light of the above, there shall be a direction to the petitioner to make a representation to the first respondent seeking for disbursement of the retirement benefits and on receipt of the same, the first respondent herein shall pass appropriate orders and disburse the retirement benefits, after deducting such amount that may have been paid to the petitioner, within a period of eight weeks from the date of receipt of a copy of this order.

M.S.RAMESH,J.



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vga

8. With the above direction, the writ petition stands disposed of. No costs.

20.06.2023

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

To

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

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