



W.P.No.18102 of 2021

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :09.11.2023

CORAM :

THE HON'BLE Ms. JUSTICE R.N. MANJULA

W.P.No.18102 of 2021

Dr.B.Brahmananda Reddy

... Petitioner

Versus

- 1.The Union of India,
Rep. by its Secretary to Government,
Ministry of Home Affairs,
New Delhi 110 001.
- 2.The Chief Secretary
Government of Union Territory of Puducherry,
Puducherry 605 004.
- 3.The Secretary to Government cum Chairman,
Pondicherry Veterinary College Society,
Animal Husbandry and Animal Welfare Dept,
Government of Union Territory of Puducherry,
Puducherry 605 005.
- 4.The Dean,
Rajiv Gandhi Institute of Veterinary Education
and Research and Member Secretary,
Pondicherry Veterinary College,
Society, Kurumbapet,
Puducherry 605 009.

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India, praying for issuance of Writ of Mandamus, to direct the respondents to disburse as follows:



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a) Commutation of pension and Leave salary encashment, payable to the petitioner as per the pension payment Order (PPO) number 14/PVCS dated 31.03.2016 and the Leave Salary Encashment order dated 31.03.2016, due to the petitioner with interest at the rate of the 18% per annum with effect from 31.03.2016 till the date of disbursement.

b) Regular monthly pension including dearness relief at an enhanced rates due to the petitioner from November 2020 and Dearness relief arrears, with interest at the rate of 18 percentage per annum from the due date till the date of disbursement.

c) 20% of the 6th pay arrears, amounting to Rs.2,52,962/- due to the petitioner with interest at the rate of 18 percentage per annum with effect from 3rd January 2012 till the date of disbursement.

d) Revision of the pension and the Pensionary Benefits as per the 7th pay revision order dated 25th July 2016.

For Petitioner : Mr. Menon

For Respondents : Mr. Ramasamy Meyyappan, (for R2 & R3)
Government Advocate for UT, Puducherry.

: No Appearance (for R1 & R4)

ORDER

This Writ Petition has been filed to direct the respondents to disburse the Commutation of pension and Leave Salary Encashment due under the Pension Payment Order (PPO).No.14/PVCS, dated 31.03.2016 and Leave Salary Encashment order and also requests to enhance the Monthly Pension,



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Dearness relief, 20% of 6th pay arrears, and Revision of pension and pensionary benefits as per the 7th pay revision order.

2.The petitioner who was working with the fourth respondent got retired due to the superannuation on 31.03.2016. However, the retirement benefits were not settled to him fully. Though repeated representations were sent by him to the fourth respondent and all other concerned authorities, no fruitful action has been taken.

3.The respondent has not stated any valid reasons to withhold the rest of the retirement benefits due to be paid to the petitioner.

4.The learned Government Advocate, Puducherry, appearing for the second and third respondents has submitted that the Government had released the grant-in-aid as per the budget submitted by the fourth respondent from phase to phase and it is the fourth respondent who has to settle the salary or other monetary benefits to his employees are entitled. The fourth respondent has not come out with any concrete reasons as to why the rest of the retirement benefits and pension due to the petitioner should not be paid to him.



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5.In view of the above submissions made by the learned Government Advocate, Puducherry, appearing for the second and third respondents, the fourth respondent is directed to disburse the retirement benefits and other attendant benefits due to the petitioner along with interest at the rate of 6% per annum from the date of retirement and till the date of payment, within a period of six weeks from the date of receipt of a copy of this order.

7.With the above observation and direction, the Writ Petition is disposed of. No costs.

09.11.2023

Index : Yes/No
Speaking / Non-Speaking order
Neutral Citation : Yes/No

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To:

1.The Secretary to Government,
Union of India,
Ministry of Home Affairs,
New Delhi 110 001.

2.The Chief Secretary
Government of Union Territory of Puducherry,
Puducherry 605 004.



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3. The Secretary to Government cum Chairman,
Pondicherry Veterinary College Society,
Animal Husbandry and Animal Welfare Dept,
Government of Union Territory of Puducherry,
Puducherry 605 005.

4. The Dean,
Rajiv Gandhi Institute of Veterinary Education
and Research and Member Secretary,
Pondicherry Veterinary College,
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R.N. MANJULA, J.

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