



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 15.12.2023

CORAM:

THE HONOURABLE MS.JUSTICE R.N.MANJULA

W.P.No.24528 of 2021
& W.M.P.Nos.25837 of 2021
& 24762 of 2022

N.Palanisamy

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Petitioner

versus

1.The State of Tamil Nadu,
Represented by its Secretary to Government,
Home (Police) Department,
Secretariat,
Chennai - 600 009.

2.The Director General of Police,
Tamilnadu, Santhome,
Chennai - 600 004.

3.The Commissioner of Police,
City Police Office,
Coimbatore City,
Coimbatore - 641 018.

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Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus, directing the respondents to disburse the petitioner's retirement benefits, including leave salary, dearness allowance arrears and all other attendant retirement benefits etc., benefit of revised pay Rs.4800-1000+1300 (Pre-revised Rs.2550-3200) with effect from 01.08.2009 in line with G.O.Ms.No.303, Finance (Pay Cell)



Department dated 11.10.2017, gratuity, pension and all such other benefits together with interest at the rate of 9% per annum to the petitioner within the time that may be stipulated by this Court.

For Petitioner : Mr.D.Udhayasuriyan

For Respondents : Mr.P.Sanjai Gandhi
Government Advocate

ORDER

The petitioner has filed this petition seeking a writ of mandamus, directing the respondents to disburse his retirement benefits, including leave salary, dearness allowance arrears and all other attendant retirement benefits etc., benefit of revised pay Rs.4800-1000+1300 (Pre-revised Rs.2550-3200) w.e.f. 01.08.2009 in line with G.O.(Ms.)No.303, Finance (Pay Cell) Department, dated 11.10.2017, gratuity, pension and all such other benefits together with interest at the rate of 9% per annum.

2. Heard Mr.D.Udhayasuriyan, learned counsel for the petitioner, Mr.P.Sanjai Gandhi, learned Government Advocate for the respondents and perused the materials available on record.



3. In the impugned order, it is stated by the third respondent that the special pension of Rs.2,000/- per month along with lumpsum amount of Rs.50,000/- has been sanctioned *vide* G.O.(Ms.)No.348, Finance (PC) Department, dated 28.11.2017 for the scavengers attached to the Police Station. Since the A.C. Office has sought some clarification with the Government with regard to the said G.O., the disbursal of the retiral benefits of the petitioner is pending.

4. In the counter of the third respondent also, it is stated that the petitioner has not furnished enough details for preparation of the pension proposal. That itself would show that the petitioner is also included for the benefits available under G.O.(Ms.)No.348. Since the file is pending for providing necessary details sought by the A.C. Office, it is obligatory on the part of the first respondent to provide necessary details to the A.C. Office to sanction the pension payable to the petitioner. Since the obstacle is caused only due to the delay made by the first respondent in providing the necessary details to the A.C. Office, the petitioner is not able to get his pension despite he retired from service on 31.05.2021.



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5. Hence the Writ Petition is **disposed**, by directing the respondents to do the needful for providing necessary details to the A.C. Office for getting the disbursal of the pension and other retiral benefits to the petitioner without any complication. No costs. Consequently, connected Miscellaneous Petitions are closed.

15.12.2023

Speaking order / Non-speaking order

Index : Yes / No

Neutral Citation : Yes / No

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To

1.The Secretary to Government
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2.The Director General of Police,
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R.N.MANJULA, J.

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