



W.P.No.13099 of 2018

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.03.2024

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THE HONOURABLE MR.JUSTICE BATTU DEVANAND

W.P.No.13099 of 2018

and

W.M.P.No.15398 of 2018

S.Ellammal

.. Petitioner

/versus/

1.The Secretary to Government,
Revenue Department,
Fort St.Geroge,
Secretariat,
Chennai 600 009.

2.The Additional Chief Secretary to Government,
Finance(CMPC)Department,
Secretariat, Chennai 600 009.

3.The Special Commissioner and commissioner of
Revenue Administration,
Chepauk, Chennai 600 005.

4.The District Collector,
Thiruvannamalai District,
Thiruvannamalai District.



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5.The Tahsildar,
Cheyyar Taluk,
Office of the Taluk Office,
Thiruvannamalai District.

6.The Principal Accountant General (A&E),
Office of the Accountant General(A&E),
No.361, Anna Salai, Teynampet,
Chennai 600 018.

7.The Accountant General(A&E),
Office of the Accountant General(A&E),
No.361, Anna Salai, Teynampet,
Chennai 600 018.

.. Respondents

Prayer: Writ Petition has been filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus directing the 1st respondent to make necessary amendments in the Tamil Nadu Village Assistants' Pension Rules, 1995 for the payment of DCRG (Death-cum-Retirement Gratuity) to the petitioner forthwith due to the death of the petitioner's husband namely, M.Chakkarabani, who died in service as required by the 7th respondent in his proceedings in Letter in D.O.Lr.No.Pen30/11/1-56(A)/2016-17/46/126660, dated 28.03.2017.

For Petitioner :M/s A.Ilaya Perumal

For Respondents :Mrs.Agila Rajendran,
Government Advocate
for R1 to R5

Mr.S.Balaji,
Standing Counself
for R6 and R7



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ORDER

This Writ Petition has been filed seeking the payment of DCRG (Death-cum-Retirement Gratuity) to the petitioner forthwith due to the death of her husband.

2. On behalf of the first respondent, a counter-affidavit has been filed. The relevant paragraph No.11 of the said counter is extracted herein under:-

"11. It is respectfully submitted that the proposal regarding the petitioner's request has been sent to the Accountant General(A&E), O/o the Accountant General, Chennai-18, in Rc.No.A2/3486/ 2016, dated 19.01.2024 by the Tahsildar, Cheyyar Taluk, Tiruvannamalai District. As per the proposal of the Tahsildar, Cheyyar, the Accountant General (A & E), as a special case authorised to sanction Death-Cum-Retirement Gratuity of Rs.1,02,744/- (One Lakh Two Thousand Seven Hundred and Forty-Four Only) in Letter No.P01/10126805/3/F3206416, dated 29.01.2024 to the petitioner. Accordingly, the Death-Cum-Retirement Gratuity amount was paid to the petitioner on 07.02.2024. Hence, the order of this Hon'ble Court made in



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W.P.No.19189 of 2017 has been complied and a Compliance Report in this regard has been filed by the District Collector, Tiruvannamalai District on 08.02.2024."

3. Heard the learned the learned counsel appearing for the petitioner and the learned Government Advocate appearing for respondents 1 to 5 and the learned Standing Counsel appearing for respondents 6 and 7.

4. Having heard the submissions of the respective counsels and on a careful perusal of the averments made in the counter-affidavit filed by the first respondent, as the prayer for the petitioner is to settle the DCRG (Death-cum-Retirement Gratuity) benefit due to the death of her husband and the same has already been sanctioned by the respondents, in compliance of the order dated 20th July 2021 in W.P.No.19189 of 2017 and the request of the petitioner has been settled and the Death-cum-Retirement Gratuity amount was paid to the petitioner on 07.02.2024, in our considered view, no further adjudication is required in the present Writ Petition.



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5. Accordingly, this Writ Petition is closed.

6. Consequently, connected Miscellaneous Petition is closed.

7. There shall be no order as to costs.

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Index:yes/no

Internet:yes/no

Speaking order/non speaking order

Neutral citation:yes/no

To:

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3.The Special Commissioner and commissioner of
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BATTU DEVANAND,J.

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