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W.P.No.26039 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.01.2024

CORAM:

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

W.P.No.26039 of 2022

Vasantha

... Petitioner

-Vs-

1.The District Collector,
Collector Office,
Cuddalore,
Cuddalore District.

2.The Regional Development Officer,
Panjayat Union,
Kattumannarkoil,
Cuddalore District.

... Respondents

Prayer : Writ Petition filed under Article 226 of Constitution of India praying for the issuance of a Writ of Mandamus, to direct the 2nd respondent to release the petitioner's pension and other benefits with appropriate interest after fix a date for audit inspection and permit the petitioner to participate in the audit inspection and to produce all the relevant records during the period of 2016-17 and including the opportunity of being heard.

For Petitioner : M/s.M.Senthil Vadivu

For Respondents : Mr.S.Arumugam
Government Advocate



W.P.No.26039 of 2022

ORDER

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This writ petition has been filed for direction directing the second respondent to release the petitioner's pension and other benefits with appropriate interest after fix a date for audit inspection and permit the petitioner to participate in the audit inspection and to produce all the relevant records during the period of 2016-17 and including the opportunity of being heard.

2. Heard the learned counsel on either side and perused the materials available on record.

3. The petitioner was employed as a Noon Meal Organizer and retired from service on 30.06.2018, on attaining the age of superannuation. However, she was not settled with the terminal benefits and pension, for the reason that the petitioner has not produced all the relevant records and account details pertaining to her service. Therefore, the second respondent did not recommend for release of her pension and other benefits. Thereafter, the petitioner approached the first respondent and requested for release of pension and other retirement benefits. The first respondent, vide communication dated 08.06.2020, directed the second respondent to take appropriate steps in respect of her request and report.



W.P.No.26039 of 2022

4. Though the petitioner is ready and willing to provide all the documents pertaining to her service for the internal audit inspection, the first respondent did not issue any show cause notice to the petitioner so far.

5. A perusal of the counter revealed that the second respondent did not deny the financial benefits to the petitioner. The petitioner failed to appear for audit and to produce the relevant audit report for perusal. A letter dated 30.09.2022 was sent to the Assistant Director (Internal Audit), Cuddalore District, to fix a date for auditing for the years 2016-2019. Thereafter, the Assistant Director (Internal Audit), Cuddalore District, had fixed the audit for the said years on 17.10.2022. In order to communicate the same, the second respondent issued a letter dated 10.10.2022 to the petitioner. However, the petitioner did not receive the same and it was returned back to the second respondent.

6. In view of the above, the Assistant Director (Internal Audit), Cuddalore District is directed to fix a date of audit inspection for the year 2016-2019 and inform the same to the petitioner, within a period of two weeks from the date of receipt of a copy of this order. On receipt of the same, the petitioner is directed to appear before the Assistant Director (Internal Audit), Cuddalore



W.P.No.26039 of 2022

District along with all necessary documents pertaining to her service. After completion of inspection, the Assistant Director (Internal Audit), Cuddalore District and the first respondent are directed to pass appropriate orders for the disbursement of the petitioner's terminal benefits and pension, within a period of four weeks thereafter.

7. With the above directions, this writ petition is disposed of. There shall be no order as to costs.

12.01.2024

Internet: Yes

Index : Yes/No

Speaking/Non Speaking order

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W.P.No.26039 of 2022

To

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- 2.The Regional Development Officer,
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3. The Assistant Director (Internal Audit),
Cuddalore District.



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W.P.No.26039 of 2022

G.K.ILANTHIRAIYAN. J.

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W.P.No.26039 of 2022

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