



WEB COPY

W.P.No.34186 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.03.2024

CORAM

**THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM
and**

THE HONOURABLE MR.JUSTICE K.RAJASEKAR

W.P.No.34186 of 2017

and

W.M.P.No.38069 of 2017

J.Kulandaivelu

... Petitioner

Vs.

1. The District Judge,
Court of the District and Sessions Judge,
Puducherry.

2. The Chief Judicial Magistrate,
Judicial Department,
Puducherry.

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, to call for the records of the second respondent with No.175/ JUD/ CJM/ Estt./ 2012 dated 28.3.2012 and to quash the same and consequently to direct the respondents to pay the retirement benefits to the petitioner including Provident Fund, Gratuity, Leave Salary, Service Insurance, Pension with interest at a rate of 12%.

For Petitioner : Mr.B.BalaVijayan
for Mr.Prakash Adiapadam

For Respondents : Mr.Syed Mustafa,
Special Government Pleader



(Puducherry)
ORDER

WEB COPY (Order of the Court was made by **S.M.SUBRAMANIAM, J.**)

The Writ Petition has been filed to call for the records of the second respondent with No.175/ JUD/ CJM/ Estt./ 2012 dated 28.3.2012 and to quash the same and consequently to direct the respondents to pay the retirement benefits to the petitioner including Provident Fund, Gratuity, Leave Salary, Service Insurance, Pension with interest at the rate of 12%.

2. The learned Special Government Pleader (Pondicherry), Mr.Syed Mustafa appearing on behalf of the respondents would contend that the Departmental disciplinary proceedings initiated against the writ petitioner has ended with the order of punishment of stoppage of increment for one year. Thereafter, no disciplinary action was taken against the writ petitioner and he was allowed to retire from service with effect from 30.11.2011. Thus, the respondents are directed to settle all the terminal and pensionary benefits due to the writ petitioner by following the procedures, as contemplated under the Rules in force. The said exercise is directed to be completed within a period of four months from the date of receipt of a copy of this



order. The writ petitioner is directed to co-operate for submission of pension proposals by furnishing all the required details in the prescribed format and in accordance with the Pension Rules in force.

3. Accordingly, the Writ Petition stands disposed of. Consequently, the connected Miscellaneous Petition is closed. No costs.

(S.M.S.,J.) (K.R.S.,J.)
04.03.2024

skr
Index : Yes
Speaking order

To

1. The District Judge,
Court of the District and Sessions Judge,
Puducherry.
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Judicial Department,
Puducherry.



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S.M.SUBRAMANIAM, J.
and
K.RAJASEKAR, J.

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