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W.P.No.35333 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21.11.2024

CORAM:

THE HONOURABLE MRS. JUSTICE V.BHAVANI SUBBAROYAN

W.P.No.35333 of 2024

P. Pulendran

...Petitioner

Vs

1. The Divisional Engineer(HD)
Construction and Maintenance,
Highways Department,
Tiruvallur Division,
Tiruvallur – 602 001.

2. The Sub Divisional Engineer(HD)
Construction and Maintenance,
Highways Department,
Tiruvallur Sub Division,
Tiruvallur – 602 001.

3. The District Treasury Officer,
Tiruvallur District Treasury,
Tiruvallur – 602 001

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the third Respondent to disburse petitioner's retirement benefits in pursuant to the NOC issued by the second respondent vide Memo No..435/2024/Ei.Ni.U dated 18.10.2024, based on petitioner's representation dated 30.09.2024 and



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14.10.2024 to the petitioner in respect of his service rendered in the first and second respondents department and pass orders.

For Petitioner : Mr.A. Subramani

For Respondents : Mr.U. Baranidharan
Additional Government Pleader

ORDER

By consent of both parties, this writ petition is taken up for final disposal at the stage of admission itself.

2. The petitioner has filed this writ petition to issue a Writ of Mandamus directing the third Respondent to disburse petitioner's retirement benefits in pursuant to the NOC issued by the second respondent vide Memo No..435/2024/Ei.Ni.U dated 18.10.2024 and pass orders.

3. The case of the petitioner is that he is a retired employee from the Respondent Department. The grievance of the petitioner is that the petitioner retired on 30.06.2024, but the respondents has not yet settled the retirement benefits. Hence, the petitioner gave a representation to the



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first and second respondents on 14.10.2024, pursuant to which the second respondent vide memo No.435/2024/E.Ni.U/dated 18.10.2024 informed the petitioner that they have already sent a NOC to the 3rd respondent in Letter No.435/2024/E.Ni.U/dated 09.10.2024 to approach the 3rd respondent to get his retirement benefits. Therefore, the petitioner approached the third respondent several times in person to receive his retirement benefits. However, no action has been taken by the third respondent till date. Hence this petition.

4.The learned counsel for the petitioner submitted that it would be suffice if this Court issues a direction to the respondents to consider the petitioner's representation dated 14.10.2024 and pass orders.

5. The learned Additional Government Pleader appearing for the respondents produced a letter of the second respondent in Letter No.131/2023/E.Ni.Vu dated 20.11.2024, wherein, it is stated that they have arrived at a calculation what amount to be paid to the petitioner and forwarded the copy of the same to the third respondent who is the proper authority to disburse the retirement benefits to the petitioner.



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6. Heard both sides and perused the materials available on record.

7. Considering the facts and circumstances of the case and the limited relief sought for by the petitioner, this Court directs the third respondent to consider the case of petitioner in the light of the letter of the second respondent in Letter No.131/2023/E.Ni.U dated 20.11.2024 and representation of the petitioner dated 14.10.2024 and pass orders on merits and in accordance with law within a period of twelve weeks from the date of receipt of a copy of this order.

7. With the above directions, this Writ Petition stands disposed of.
No order as to costs.

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Index: Yes/No
Speaking order/Non-speaking order
smn



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V.BHAVANI SUBBAROYAN,J.



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