



WEB COPY

WP No. 9409 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23-06-2025

CORAM

THE HONOURABLE MR.JUSTICE C.KUMARAPPAN

WP No. 9409 of 2024

1. K.P.Rajashekar
S/o.Late.Thiru.Perumal, No.14/8,
Rohini Street, Rajaji Nagar,
Villiwakkam, Chennai-600 049.

Petitioner(s)

Vs

1. The Commissioner
Greater Chennai Corporation, Rippon
Building, Chennai-600 003.

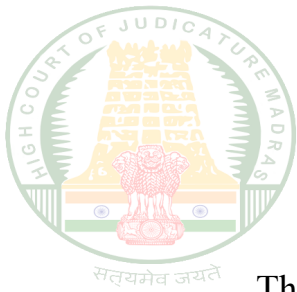
Respondent(s)

PRAYER

Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus, to direct the respondent to pay and award to the petitioner (i) the Death cum Retirement Gratuity; (ii) Commuted Value of Pension (iii) sanction of the regular pension (iv) interest at the rate of 9 percent on the above said retirement benefits with effect from the date of retirement to the actual date of retirement and (iv) to pass any other or further orders as this Hon'ble Court may deem fit and proper.

For Petitioner(s): M/s. R.Prem Narayan

For Respondent(s): Ms. P.T. Ramadevi For
Respondent.



ORDER

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This Writ Petition has been filed seeking for a direction to the respondent to pay his retirement benefits.

2. Heard Mr.R.Prem Narayan, learned counsel for the petitioner and Ms.P.T.Rama Devi, learned counsel for the respondent.

3. The learned counsel would fairly submit that the petitioner was issued with 5 different charge memorandum, out of which, in 2 charge memorandums, charges were subsequently dropped. In respect of 3rd charge memorandum, punishment was imposed. However, since 2004, two disciplinary proceedings are pending against the petitioner without any progress. Taking advantage of the same, the respondent is denying the retirement benefits to the petitioner.

4. At this juncture, the learned Standing counsel for the respondent would submit that admittedly, there are two disciplinary proceedings pending against the petitioner. However, among them, in one disciplinary proceedings, the enquiry report has already been received and the final order has to be passed. In respect of another disciplinary proceedings, the Enquiry Officer has been appointed and the enquiry has to be commenced.

5. In such view of the matter, it is apparently clear that only due to the pendency of the disciplinary proceedings, the payment of terminal benefits was



denied. In view of the same, this Court deems it appropriate to direct the respondent to conclude the disciplinary proceedings pending against the petitioner, within a period of four (4) months from the date of receipt of a copy of this order on its own merits and in accordance with law. This Court makes it clear that if there is any audit clearance pending against the petitioner, the respondent is directed to bring such audit clearance to its logical conclusion within the aforesaid period. The respondent is further directed to settle the retirement benefits subject to the outcome of the pending disciplinary proceedings against the petitioner.

6. In the result, this writ petition is disposed of with the above directions. There shall be no order as to costs.

23-06-2025

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Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

To

1. The Commissioner
Greater Chennai Corporation,
Rippon Building, Chennai-600 003.



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C.KUMARAPPAN J.

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