



WEB COPY



W.P.No.31065 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.08.2025

CORAM

THE HONOURABLE Ms. JUSTICE P.T. ASHA

W.P.No.31065 of 2025

and

WMP.No.34820 of 2025

Pettathammal Kittan

... Petitioner

Vs.

1.The Director Of Municipal Administration
75 Santhome High Road,
Chennai 28

2.The Regional Director Of Municipal Administration
J.G.Nagar 1st Street, Kumaranathapuram,
Tirupur 641 602

3.The Commissioner
Mettupalayam Municipality,
Mettupalayam 641 301

...Respondents

Prayer:- Writ petition filed under Article 226 of the Constitution of India praying for issuance of a writ of Mandamus, direction in the nature of writ to the 1st, 2nd and 3rd respondents to disburse the remaining amount of terminal benefits and pensionary benefits of the petitioner along with the interest with all the arrears thereon within the time limit that may be stipulated by this Honble court.



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For Petitioner : M/s.N.Tamilselvan

For Respondents : M/s.C.Selvaraj, AGP
for R1 to R3.

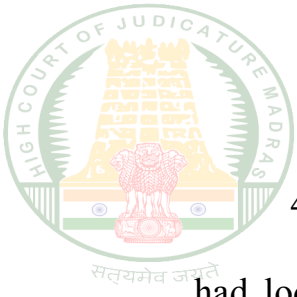
ORDER

The writ petition has been filed for the following reliefs:-

"direction in the nature of writ to the 1st, 2nd and 3rd respondents to disburse the remaining amount of terminal benefits and pensionary benefits of the petitioner along with the interest with all the arrears thereon within the time limit that may be stipulated by this Honble court.."

2. The petitioner would submit that after rendering an unblemished service of 24 years and 2 months she had retired from the services of the Mettupalayam Municipality on 30.06.2024.

3.The petitioner would submit that she had discharged her duties in accordance with the directions of her superiors and the regulations of the department. She would further state that there were no adverse remarks against her nor was any disciplinary proceeding or punishment pending against her as on the date of her retirement.



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4. The petitioner would submit that, on 27.10.2023, one Mr. Nagaraj had lodged a false complaint against her before the Inspector of Police, Mettupalayam, due to some personal vengeance. However, the police did not find any adverse proof against the petitioner. Despite this, Mr. Nagaraj had once again on 01.04.2024 filed an online complaint and allegedly forced the police to register an FIR. Subsequently, on 21.10.2024, four months after the petitioner's retirement, the Inspector of Police, Mettupalayam had sent a letter to the 3rd respondent requesting that the petitioner's retirement benefits be withheld. Accordingly, the 3rd respondent had withheld the petitioner's pensionary benefits and residual terminal benefits. The petitioner would submit that the Police officials have no authority to withhold pensionary benefits.

5. The petitioner would submit that, even after a lapse of 18 months since the filing of the complaint and 15 months since the registration of the FIR, no charge sheet has been filed. Therefore, on 25.06.2024, the petitioner had made a representation to the respondents seeking disbursement of her retirement benefits. Subsequently, on 12.11.2024, she had issued a legal notice to the respondents regarding the same issue. However, to date, her retirement benefits have not been released. Hence,



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the Writ Petition.

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6. Heard the counsels on either side.

7. Considering the facts and circumstances of the case and also taking note of the fact that despite the lapse of 18 months since the filing of the complaint and 15 months since the registration of the FIR, no charge sheet has been filed against the petitioner, the Writ Petition is allowed. The respondents are directed to consider the legal notice dated 12.11.2024 as a representation and pass orders thereon in accordance with law within a period of one month from the date of receipt of a copy of this order. No costs. Consequently, the connected Miscellaneous Petition is closed.

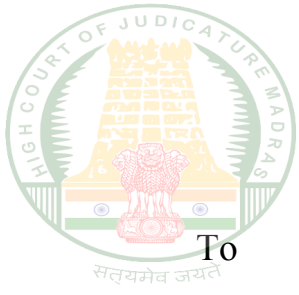
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(shr)

Index : Yes/No

Speaking Order: Yes/No

Neutral Citation : Yes/No



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