



W.P.No.33408 of 2023

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17.04.2025

CORAM:

THE HONOURABLE MRS. JUSTICE V.BHAVANI SUBBAROYAN

W.P.No.33408 of 2023

P. Manimegalai

...Petitioner

Vs

1. The Secretary to Government,
Revenue (Service 1) Department,
Fort St George, Chennai 600 009.

2. The Special Commissioner,
Commissioner of Revenue Administration,
Chepauk, Chennai 600 005.

3. The District Collector,
District Collectorate Office,
Tiruppur – 641 604.

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents to settle/release the retirement benefits i.e, the Gratuity, Commutation, Earned leave Salary, Provident Fund etc., to the petitioner along with 18% interest based on the petitioner's representation dated 10.10.2023 within stipulated period fixed by this Court and pass orders.

For Petitioner

: Mr.N. Saravanan

For Respondents

: Mr.T.M.Rajangam
Government Advocate



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ORDER

The petitioner has filed this writ petition to issue a Writ of Mandamus directing the respondents to settle/release the retirement benefits i.e, the Gratuity, Commutation, Earned leave Salary, Provident Fund etc., to the petitioner along with 18% interest based on the petitioner's representation dated 10.10.2023 within stipulated period fixed by this Court and pass orders.

2.The case of the petitioner is that the petitioner retired from the Respondent/Department on 30.06.2022 as Deputy Collector. The grievance of the petitioner is that the terminal benefits was not settled to the petitioner. Therefore, the petitioner gave a representation to the respondents on 10.10.2023. However, no action has been taken by the respondents till date. Hence this petition.

3.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 and pass orders.



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4.The learned Government Advocate appearing for the respondents produced a letter of the Commissioner in Letter No.RA.3(5)/6252753/2024 dated 03.04.2025 addressed to the Accountant General, Chennai – 600 018 (W.E) (Service Register and Pension proposal) (By Special Messenger). In the said letter it was stated that the petitioner while working as Deputy Tahsildar had committed some irregularities, due to which recovery notice has been issued on 30.07.2024. Meanwhile, the petitioner has filed W.P.No.24123 of 2023 to quash the above recovery. However, the petitioner has been retired and sent pension application (Form-V) on 05.03.2025 to The Commissionerate for sanction of Pension and DCRG. Hence, the Accountant General, Chennai – 600 018 (W.E) (Service Register and Pension proposal) (By Special Messenger) was instructed to assess the retirement benefits due to the petitioner and sent a report to the office. He further submitted that after calculating the settlement benefits they will pay the same to the petitioner as early as possible.

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



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6 .Considering the facts of the case and the submissions made

by either side counsel, this Court directs the Respondent/Department to pay the eligible amount as payable to the petitioner along with interest at the rate of 6% per annum for the delay period in settling the said amount.

It is made clear that the said payment should be made on or before 15th June 2025.

7.With the above directions, this Writ Petition stands disposed of.

No order as to costs.

17.04.2025

Index: Yes/No

Speaking order/Non-speaking order
smn

To

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V.BHAVANI SUBBAROYAN,J.

Smn

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