

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05.06.2015

CORAM:

THE HON'BLE MR.JUSTICE D. HARIPARANTHAMAN

W.P.No.15821 of 2015
and M.P.No.1 of 2015

S.Mary

.. Petitioner

vs.

The Commissioner of Labour,
DMS Compound, Teynampet,
Chennai - 6.

.. Respondent

* * *

PRAYER : Petition filed under Article 226 of the Constitution of India for the issuance of writ of Mandamus directing the respondent to disburse the petitioner's retirement benefits like Gratuity, Provident Fund, Special Provident Fund, Earned Leave Salary.

* * *

For Petitioner : Mr.C.Prakasam

For Respondent : Mr.M.E.Rani Selvam
Addl. Government Pleader

O R D E R

Heard both sides. Ms.M.E.Rani Selvam, learned Additional Government Pleader takes notice for the respondent. By consent of both the parties, the writ petition is taken up for final disposal.

2. The petitioner was working as Deputy Inspector of Labour. She was suspended from service on 31.12.2009 on certain allegations. By the proceedings of the respondent dated 25.06.2012, she was not allowed to retire from service on 30.06.2012 on reaching the age of superannuation, by invoking Rule 56(1)(c) of the Fundamental Rules.

3. Seeking retirement benefits, the petitioner submitted a representation dated 02.03.2015 and since the same evokes no response, the petitioner is before this Court.

4. The learned counsel for the petitioner submitted that even if the petitioner is ultimately dismissed from service, the petitioner is entitled to GPF, her contribution to Special Provident Fund and Earned Leave Encashment benefits.

5. I am in agreement with the submission made by the learned counsel for the petitioner. Hence, a direction is issued to the respondent to settle the GPF, petitioner's contribution to Special Provident Fund and Earned Leave Encashment benefits to her, if not already paid, within a period of four weeks from the date of receipt of a copy of this order.

6. The writ petition is disposed of accordingly. No costs. Consequently, connected miscellaneous petition is also closed.

Sd/-
Assistant Registrar

True Copy

Sub Assistant Registrar

To

The Commissioner of Labour,
DMS Compound, Teynampet,
Chennai - 6.

+1 cc to Government Pleader, SR.27186

+1 cc to Mr.C.Prakasam, Advocate, SR.27273.

Ug(co)
krd 19/6

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