IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24.07.2015

CORAM:

THE HON'BLE MR.JUSTICE D. HARIPARANTHAMAN

W.P.No.22374 of 2015

K.Raman .. Petitioner

vs.

The Revenue Divisional Officer-
cum-Sub Collector,
Hosur, Krishnagiri District. .. 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 terminal benefits, viz., Special Provident Fund, General Provident Fund, Earned Leave Encashment, 25% of Subsistence Allowance for the period from 02.06.2010 to 27.03.2012, Two camps Special Pay of Rs.5,000/- each under AMMA Scheme Special Camp on 29.11.2013 and 10.01.2014, Additional Pay for the in-charge of Osapuram village for the period from 18.10.2013 to 05.03.2014, duty pay salary for the period from 01.01.2015 to 07.01.2015, subsistence allowance for the period from 08.01.2015 to 31.05.2015, provisional pension from 01.06.2015 onwards within a stipulated period.

For Petitioner : Mr.R.Ezhilarasan

For Respondent : Mr.V.Jayaprakasah Narayanan
Special Government Pleader

O R D E R

Mr.V.Jayaprakash Narayanan, learned Special Government Pleader takes notice for the respondent.

2. The petitioner was working as Village Administrative Officer. He was suspended from service on 03.12.2009. Though he was reinstated in service on 26.03.2012, he was again suspended on 09.01.2015 and he was not allowed to retire from service by invoking Rule 56(1)(c) of the Fundamental Rules pending criminal case. In those circumstances, the petitioner has filed this writ petition seeking for a direction to the respondent to disburse the Special Provident Fund, General Provident Fund and Earned Leave Encashment.

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3. The petitioner also sought to disburse 25% of Subsistence Allowance for the period from 02.06.2010 to 27.03.2012, Two camps Special Pay of Rs.5,000/- each under AMMA Scheme Special Camp on 29.11.2013 and 10.01.2014, Additional Pay for the incharge of Osapuram village for the period from 18.10.2013 to 05.03.2014, duty pay salary for the period from 01.01.2015 to 07.01.2015, subsistence allowance for the period from 08.01.2015 to 31.05.2015, provisional pension from 01.06.2015 onwards within a stipulated period.

4. Heard both sides.

5. Considering the narrow prayer, this writ petition is disposed of with a direction to the respondent to settle the General Provident Fund, his contribution to Special Provident Fund and Earned Leave Encashment benefits to him, if not already paid, within a period of four weeks from the date of receipt of a copy of this order. The respondent is also directed to consider the claim of the petitioner in respect of other benefits, namely, 25% of Subsistence Allowance for the period from 02.06.2010 to 27.03.2012, Two camps Special Pay of Rs.5,000/- each under AMMA Scheme Special Camp on 29.11.2013 and 10.01.2014, Additional Pay for the incharge of Osapuram village for the period from 18.10.2013 to 05.03.2014, duty pay salary for the period from 01.01.2015 to 07.01.2015, subsistence allowance for the period from 08.01.2015 to 31.05.2015, provisional pension from 01.06.2015 onwards, and pass appropriate order on merits and in accordance with law within a period of four weeks from the date of receipt of a copy of this order. No costs.

Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

gg

To

The Revenue Divisional Officer-
cum-Sub Collector,
Hosur, Krishnagiri District.

1 cc to Mr.R. Ezhilarasan, Advocate, Sr. 37832
1 cc to Government Pleader, Sr. 38041

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