

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24.07.2015

CORAM:

THE HON'BLE MR.JUSTICE D. HARIPARANTHAMAN

W.P.No.22448 of 2015

R.Nagarajan

.. Petitioner

vs.

1. The District Collector,
Tiruppur District, Tiruppur.

2. The Revenue Divisional Officer,
Dharapuram, Tiruppur District.

.. Respondents

PRAYER : Petition filed under Article 226 of the Constitution of India for the issuance of Writ of Mandamus directing the respondents to disburse the petitioner's retirement benefits like Gratuity, Special Provident Fund, General Provident Fund, Encashment of Earned Leave and Encashment of Unearned Leave on private affairs.

For Petitioner : Mr.M.Selvam

For Respondents : Mr.S.Gunasekar
Government Advocate

O R D E R

Heard both sides. Mr.S.Gunasekar, learned Government Advocate takes notice for the respondents.

2. The petitioner was working as Village Administrative Officer. He was suspended from service on 28.02.2015 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 respondents to disburse the Gratuity, Special Provident Fund, General Provident Fund, Encashment of Earned Leave and Encashment of Unearned Leave on private affairs to the petitioner.

3. However, when the matter is taken up for hearing, the learned counsel for the petitioner has fairly submitted that the petitioner does not press his claim for DCRG, since he could not get the same, if he is dismissed from service ultimately.

4. However, the learned counsel for the petitioner submitted that even if the petitioner is ultimately dismissed from service, the petitioner is entitled to GPF, his 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, this writ petition is disposed of with a direction to the respondents 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. No costs.

Sd/-

Assistant Registrar

True Copy

Sub Assistant Registrar

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To

1. The District Collector,
Tiruppur District, Tiruppur.

2. The Revenue Divisional Officer,
Dharapuram, Tiruppur District.

1 cc to Mr. M.Selvam, Advocate Sr.No.37821

1 cc to Government Pleader.Sr.No.38196

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sr(co)
pmk.7.8.2015

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