

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.08.2015

CORAM

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

W.P.No.25808 of 2015

A.Duraisamy

... 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 to issue a Writ of Mandamus directing the respondents to disburse the General Provident Fund, Special Provident Fund, Encashment of Earned Leave and Encashment of Un-earned Leave on private affairs to the petitioner.

For Petitioner : Mr.C.Prakasam

For Respondents : Mr.V.Subbiah
Special Government Pleader

O R D E R

By consent, the writ petition is taken up for final disposal.

2.The petitioner while working as Village Administrative Officer at Nandhavanampalayam Village, Dharapuram Taluk, Tiruppur District was involved in the commission of offence under the provisions of I.P.C. as well as under Prevention of Corruption Act and therefore, he was placed under suspension and on the eve of attainment of his Superannuation i.e. on 31.10.2014, he was also not permitted to retire by proceedings of the second respondent dated 31.10.2014.

3. The grievance of the petitioner is that the de hors the pendency of the criminal prosecution, he is entitled to disbursement of General Provident Fund, Special Provident Fund, Encashment of Earned Leave and Encashment of Un-earned leave on private affairs to the petitioner. Since the said amounts have not been disbursed, the petitioner made a representation to the respondents on 11.08.2015. Though the representation was received and acknowledged by the

respondents, he has not been favoured with any kind of response. Hence, the petitioner has come forward with this Writ petition.

4. Heard the submissions of Mr.C.Prakasam, learned counsel appearing for the petitioner and Mr.V.Subbiah, learned Special Government Pleader who accepts notice on behalf of the respondents.

5. Though the petitioner prays for a larger relief, this Court in the light of the facts and circumstances and without going into merits of the case, directs the second respondent to consider and dispose of the petitioner's representation dated 11.08.2015 on merits and in accordance with law and pass orders, within a period of eight weeks from the date of receipt of a copy of this order and communicate the decision taken, to the petitioner.

6.The writ petition is disposed of accordingly. No costs.

Sd/-
Asst.Registrar (CS III)

/true copy/

Sub Asst. Registrar

arr

To

1. The District Collector,
Tiruppur District, Tiruppur.

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

+1 cc to Mr.C.Prakasam, Advocate, sr.44589
+1 cc to The Government Pleader, sr.44190

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