

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATE: 22.09.2015

CORAM

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

W.P.No.29680/2015

K.Thangavel

... Petitioner

Vs

1. The Additional Director of Survey and Land Records, Chennai-5.
2. The Assistant Director of Survey and Land Records, District Survey Unit, Coimbatore.
3. The Regional Deputy Director of Survey and Land Records, Coimbatore.
4. The District Revenue Officer Coimbatore, Coimbatore District.

...Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, seeking for a writ of mandamus directing the respondents authorities to disburse the gratuity, General Provident Fund, Special Provident Fund, Encashment of Earned Leave and encashment of unearned leave on private affairs to the petitioner by considering the representation dated 05.08.2015 and grant such other relief.

For Petitioner : Mr.K.Myilsamy

For Respondents : Mr.V.Subbiah, Spl.GP

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O R D E R

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

2 The petitioner, while working as Deputy Inspector of Survey, was placed under suspension with effect from 27.05.2015 and on account of the fact that he has to attain the age of superannuation on 31.07.2015, the 1st respondent has passed an order on 29.07.2015 under FR 56 [1][c], not permitting the petitioner to retire and also extended his service till the enquiry into the charges pending against him, are concluded and final orders are

passed. The grievance expressed by the petitioner is that de hors of the pendency of the disciplinary proceedings, he is entitled to the contribution made by him to gratuity, General Provident Fund, Special Provident Fund, Encashment of Earned Leave and encashment of unearned leave on private affairs and in this regard, the petitioner has submitted a representation dated 05.08.2015 and since no orders have been passed, the petitioner came forward with this writ petition.

3 Heard the learned counsel for the petitioner and Mr.V.Subbiah, learned Special Government Pleader who accepts notice on behalf of the respondents.

4 Though the petitioner has sought for a larger relief, this Court, in the light of the above facts and circumstances, directs the 2nd respondent to consider and dispose of the petitioner's representation dated 05.08.2015 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.

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

-Sd/-

Assistant Registrar

//True copy//

Sub Assistant Registrar

AP

To

1. The Additional Director of Survey and Land Records, Chennai-5.
2. The Assistant Director of Survey and Land Records, District Survey Unit, Coimbatore.
3. The Regional Deputy Director of Survey and Land Records, Coimbatore.
4. The District Revenue Officer Coimbatore, Coimbatore District.

+1cc to Mr.K.Myilsamy, Advocate (sr.51746)

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ctk(co)

cp 05/10/2015