

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.09.2015

CORAM:

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

Writ Petition No.29784 of 2015

A.Francis Mariadoss

... Petitioner

Vs.

- 1 District Elementary Educational Officer  
Namakkal, Namakkal District
  - 2 The Manager  
R.C. Schools, Salem - Namakkal Districts,  
Mary Palace, 63 Thammannan Road,  
Salem - 636 009, Salem District
  - 3 The Correspondent  
St. Marry R.C. Primary School  
Marappanaickenpatty,  
Namakkal Namakkal District
  - 4 The Accountant General,  
(Accounts & Entitlements),  
Anna Salai, Chennai - 600 018
- ... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus directing the Respondents to settle the terminal benefits such as pension, gratuity, commutation, Special Provident Fund, Earned Leave and Half Pay Leave.

For Petitioner : Mr. C.Selvaraju, Sr. Counsel, for,  
M/s. C.S.Associates

For Respondents : Mr. R.Vijayakumar, AGP., for R-1  
Mr. V.Vijayashankar, for R-4

O R D E R

Mr. R.Vijayakumar, learned Additional Government Pleader accepts notice for the first respondent and Mr. V.Vijayashankar, learned counsel, accepts notice for the fourth respondent. By consent of the contesting learned counsel appearing for both sides, the writ petition is taken up for final disposal at the admission stage itself.

2. The petitioner while working as a Head Master in the third respondent school was placed under suspension on 03.08.2012 alleging irregularities with regard to the disbursement of scholarship to the children born to scavengers, sweepers, etc., Subsequently, the petitioner was permitted to retire from service on 31.05.2015 without prejudice to the disciplinary proceedings pending against him. The grievance now expressed by the petitioner is that inspite of the fact that he has been permitted to retire from service without prejudice to the disciplinary proceedings, his entitlement, such as Pension, Gratuity, Commutation, Special Provident Fund, Earned Leave, half Pay leave, etc., have not been paid or settled. In this regard, he has submitted representation dated 20.09.2015 to the respondents. Since no orders have been passed, the petitioner has come forward to file this writ petition.

3. This Court heard the submissions of the learned counsel for the petitioner and the learned Additional Government Pleader appearing for the first respondent as well as the learned counsel appearing for the fourth respondent.

4. Though the petitioner prayed for a larger relief, this Court in the light of the facts and circumstances of the case and without going into the merits of the claim projected by the petitioner in his representation or in this writ petition, directs the third respondent to act on the representation dated 20.09.2015 submitted by the petitioner and pass appropriate orders in accordance with law within a period of six weeks from the date of receipt of a copy of this order and communicate the decision taken to the petitioner.

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

srk

सत्यमेव जयते Sd/-

Asst.Registrar (CS IV )

/true copy/

Sub Asst. Registrar

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To

1 District Elementary Educational Officer  
Namakkal, Namakkal District

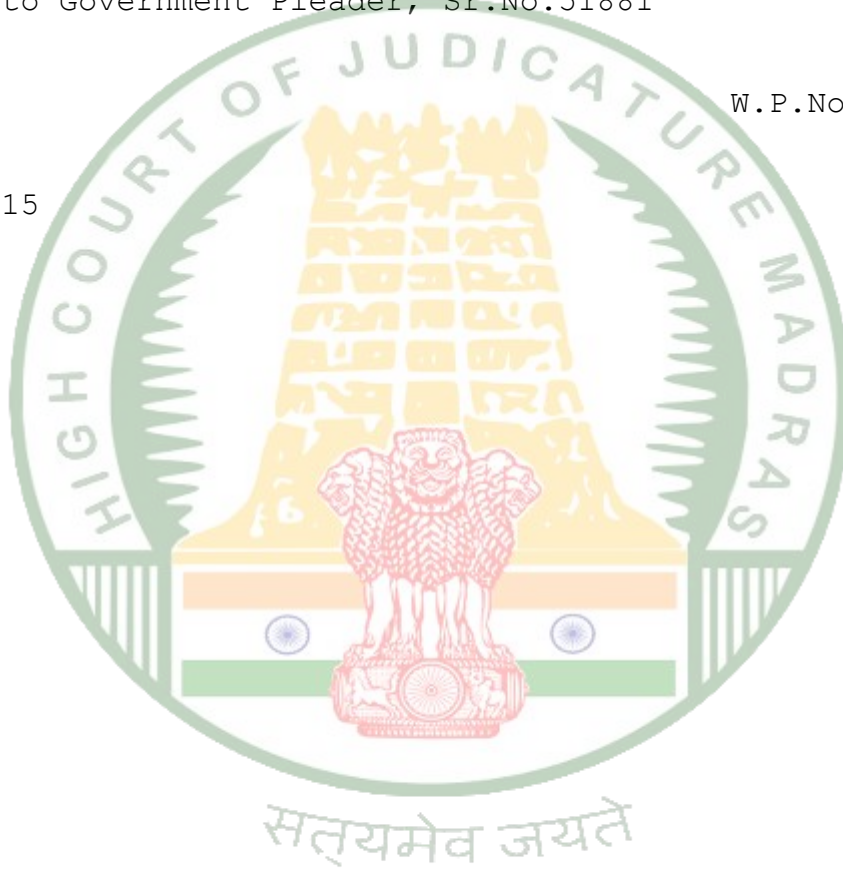
2 The Accountant General,  
(Accounts & Entitlements),  
Anna Salai, Chennai - 600 018

+1 C.C. to MR.C.S.ASSOCIATES, Sr.No.51668

+1 C.C. to Government Pleader, Sr.No.51881

W.P.No.29784 of 2015

AK(CO)  
sd : 05/10/2015



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