

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23.09.2015

CORAM

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

W.P.No.29878/2015

K.Somasundaram

..

Petitioner

Versus

The Revenue Divisional Officer
Erode, Erode District.

..

Respondent

Prayer: Writ Petition filed under Article 226 of the Constitution of India, seeking for a writ of mandamus directing the respondent to disburse the gratuity, encashment of earned leave and encashment of un-earned leave on private affairs to the petitioner.

For Petitioner : Mr.C.Prakasam

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

O R D E R

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

2 The petitioner while discharging his duties as Village Administrative Officer at Anjur Village, Erode Taluk, Erode District, was placed under suspension on 24.01.2008 by the respondent with regard to the allegation of tampering the village records, which also resulted in registration of a criminal case by the Inspector of Police, Crime Branch, Erode. The petitioner challenged the order of suspension by filing WP.No.15313/2009 and by virtue of the interim order passed by this Court dated 04.08.2009, the petitioner was reinstated in service. Since he has reached the age of superannuation on 30.04.2012, the respondent vide proceedings dated 27.04.2012, has extended the services of the petitioner under FR 56[1][c]. The grievance expressed by the petitioner is that though he was placed under suspension and not permitted to retire service, he is entitled to get his contribution made to Provident Fund, Special Provident Fund, Encashment of Earned Leave etc., and in this regard, the petitioner submitted a representation dated 11.09.2015 to the respondent and since no orders have been passed, the petitioner came forward to file this writ petition.

3 Heard the submissions of the learned counsel for the petitioner and Mr.V.Subbiah, learned Special Government Pleader for the respondent, who appeared on behalf of the respondent.

4 Though the petitioner has sought for a larger relief, this Court, in the light of the above facts and circumstances and without going into the merits of the same, directs the respondent to consider and dispose of the representation dated 11.09.2015 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/-
Asst.Registrar (CO)

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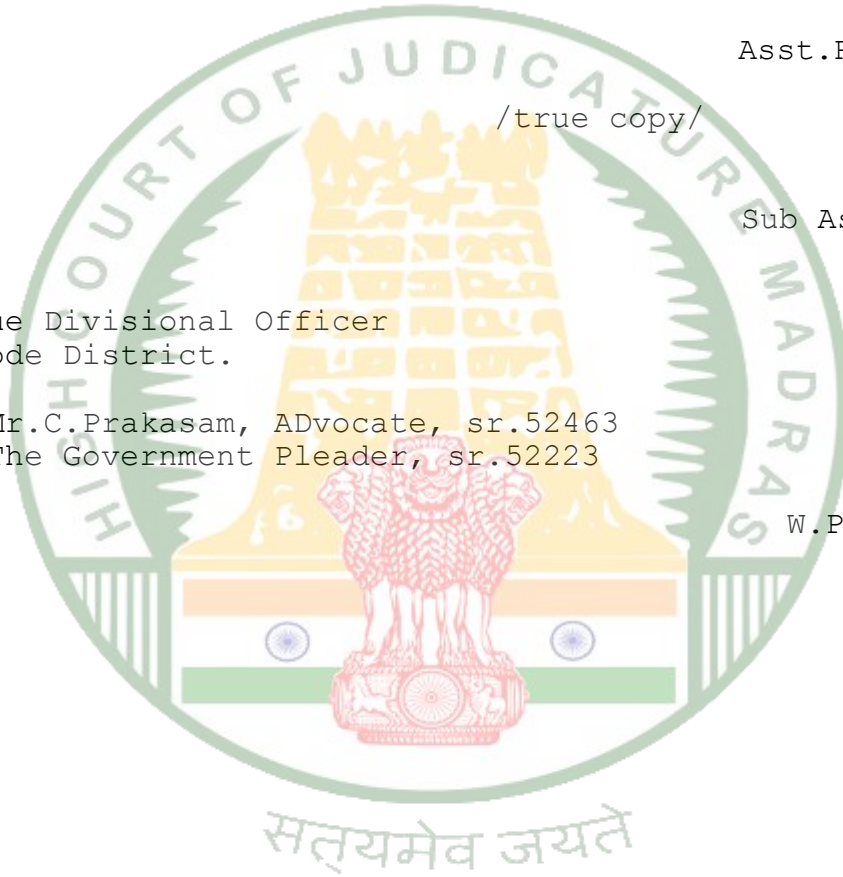
Sub Asst. Registrar

AP
To
The Revenue Divisional Officer
Erode, Erode District.

+1 cc to Mr.C.Prakasam, ADvocate, sr.52463
+1 cc to The Government Pleader, sr.52223

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