

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23.09.2015

CORAM

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

W.P.No.29879/2015

N.Velappan

..

Petitioner

Versus

1.The Sub Collector
Namakkal, Namakkal District.

2.The Revenue Divisional Officer
Namakkal, Namakkal District.

..

Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, seeking for a writ of mandamus directing the respondents 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 Respondents : 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 working as Village Administrative Officer at Malayampalayam Group Village, Rasipuram Taluk, Namakkal District, was trapped and arrested on 20.07.2009 for having demanded and accepted illegal gratification of Rs.400/- from Tmt.Suseela for processing her application to get the relief amount under the Tamil Nadu Agriculturists and Social Protection Scheme and in this connection, a case in Cr.No.3/AC/09/NK came to be registered by the jurisdictional Vigilance and Anti Corruption Detachment, for the commission of the offences under the provisions of the Prevention of Corruption Act, 1988 and consequent upon his arrest and incarceration on 20.07.2009, he was placed under deemed suspension, vide order of the respondent dated 21.07.1009. Since he has reached the age of superannuation on 31.05.2012, the respondent vide proceedings dated 31.05.2012, 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 02.09.2015 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 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 and without going into the merits of the same, directs the 2nd respondent to consider and dispose of the representation dated 02.09.2015 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)

/true copy/

Sub Asst. Registrar

AP

To

1. The Sub Collector
Namakkal, Namakkal District.
2. The Revenue Divisional Officer,
Namakkal, Namakkal District.

+1 cc to Mr.C.Prakasam, ADvocate, sr.52462

+1 cc to The Government Pleader, sr.52223

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