

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 17.11.2016

CORAM

THE HON'BLE MR.JUSTICE M.S.RAMESH

W.P.No.12513 of 2013

K.Balasundaram

... Petitioner

Vs

1.The Commissioner,
Chennai City Municipal Corporation,
Chennai 600 003.

2. The Secretary,
Municipal Administration and Water
Supply Department,
Secretariat,
Chennai 600 009.

.. Respondents

Prayer.: Writ petition filed under Article 226 of the Constitution of India praying for issuance of a writ of Mandamus directing the 1st respondent to sanction and disburse the General Provident Fund, Special Provident Fund and Encashment of Earned Leave at my credit as on 31.5.2011 within a reasonable period.

For Petitioner : Mr.T.Ranganathan
For R1 : Mr.Dr.C.Ravichandran
For R2 : Mrs.M.E.Raniselvam
Addl.Govt.Pleader

O R D E R

The limited prayer sought for by the petitioner in the writ petition is to sanction and disburse the General Provident Fund, Special Provident Fund and Encashment of Earned Leave at my credit as on 31.5.2011 within a reasonable period.

2. The learned counsel appearing for the petitioner would submit that in identical circumstances, this Court by an order dated 04.07.2012 passed in WP.No.9519/2012 directed the respondents to disburse the General Provident Fund, etc. to the petitioner therein.

3. On the other hand, the learned counsel appearing for the respondents would submit that since the vigilance enquiry is

pending, necessary approval has to be obtained prior to disbursement of the claim made by the petitioner.

4. In view of the limited prayer sought for by the petitioner, there shall be a direction to the petitioner to submit a fresh representation enclosing a copy of the order dated 04.07.2012 passed in WP.No.9519/2012 within a period of six weeks from the date of receipt of a copy of this order. On receipt of such representation, the first respondent is directed to sanction and disburse the General Provident Fund, Special Provident Fund and Encashment of Earned Leave at his credit as on 31.5.2011 on its own merits and pass orders in accordance with law and also in the light of the order passed by this Court dated 04.07.2012 in W.P.No.9519 of 2012, within a period of two weeks thereafter.

In view of the direction, this writ petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

kkd
To

1.The Commissioner,
Chennai City Municipal Corporation,
Chennai 600 003.

2.The Secretary,
Municipal Administration and Water
Supply Department,
Secretariat, Chennai 600 009.

+1cc to Mr.T.Renganathan, Advocate Sr.67154
+1cc to Dr.C.Ravichandran, Advocate Sr.66529

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scd[co]
srg 26/12/2016