

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.09.2016

CORAM

THE HONOURABLE MR.JUSTICE R.SUBBIAH

W.P.No.26697 of 2016

V.Kannappan

... Petitioner

Vs.

1. The District Collector,  
Kancheepuram District.

2. The Revenue Divisional Officer,  
Madurantakam,  
Kancheepuram District.

... 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 disburse the General Provident Fund, Special Provident Fund, Encashment of Earned Leave to the petitioner, within a stipulated time in the light of his representation dated 19.06.2016.

For Petitioner : Mr.T.Ayngaraprabhu

For Respondents : Mr.S.Gunasekaran,  
Additional Government Pleader

O R D E R

The Writ Petition has been filed to issue a writ of Mandamus, directing the respondents to disburse the General Provident Fund, Special Provident Fund, Encashment of Earned Leave to the petitioner, within a stipulated time in the light of his representation dated 19.06.2016.

2. According to the petitioner, he entered into service as a directly recruited Village Administrative Officer through Tamil Nadu Public Service Commission. While he was in service, he was prosecuted for a criminal case in Crime No.10/2008 registered by Vigilance and Anti Corruption Detachment Wing, Kancheepuram District, for an allegation that he has demanded Rs.2,600/- to be paid as bribe for issuing Chitta, Adangal etc. Subsequently, the petitioner was placed under suspension on 15.10.2008. Thereafter, the said order of suspension was set aside by this Court in W.P.No.23185 of 2009 dated 22.12.2009. Accordingly, he was reinstated into service by the 2nd respondent by his order dated 01.06.2010. While the petitioner was due for superannuation on 31.08.2015, the 2nd respondent passed an order dated 28.08.2015 suspending him from service and not permitted him to retire.

3. The grievance of the petitioner is that on account of the said fact, the terminal benefits have been withheld and therefore, he submitted a representation dated 19.06.2015 to the 1st respondent and prayed for disbursal of the death-cum-retirement gratuity, General Provident Fund, Special Provident Fund and Encashment of Earned Leave and since no orders have been passed, the petitioner is before this Court with this Writ Petition.

4. Heard both sides.

5. It is brought to the notice of this Court that in an identical circumstance, in W.P.No.27430 of 2015 dated 02.09.2015, this Court directed the 2nd respondent to consider the representation of the petitioner therein.

6. I have perused the said order.

7. Following the same, this Court, in the light of the facts and circumstances and without going into the merits of the case, directs the petitioner to give a fresh representation to the 2nd respondent along with a copy of this Order, who in turn, on receipt of the same, will consider and dispose of the petitioner's representation on merits and in accordance with law with regard to the disbursal of General Provident Fund, Special Provident Fund and Encashment of Leave 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.

8. With the above direction, the Writ Petition is disposed of. No costs.

-s/d-  
Assistant Registrar

True Copy

Sub-Assistant Registrar

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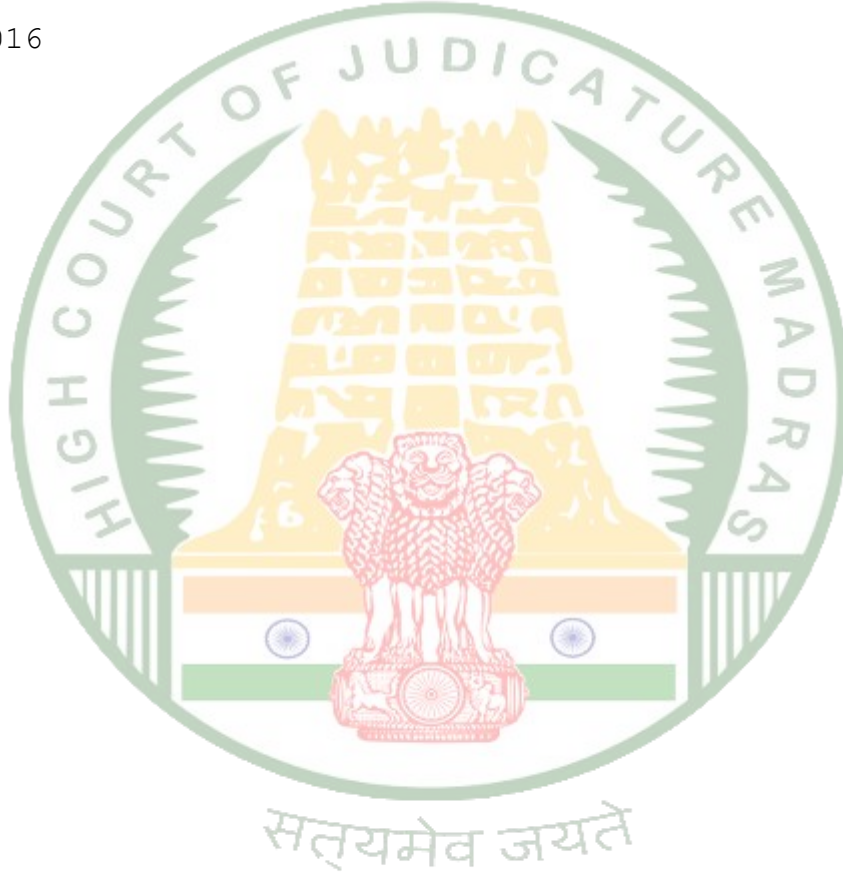
1. The District Collector,  
Kancheepuram District.

2. The Revenue Divisional Officer,  
Madurantakam,  
Kancheepuram District.

+1 cc to Mr.M.Muthappan Advocate sr 52703  
+1 cc to Government Pleader sr 52536

W.P.No.26697/2016

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