

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.10.2016

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THE HONOURABLE MR.JUSTICE R.SUBBIAH

W.P.No.36246 of 2016

T.Kumarasami

... Petitioner

Vs.

The District Collector,
Cuddalore District,
Cuddalore.

... Respondent

Prayer:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the Respondent to pass appropriate orders on the representation of the petitioner dated 4.8.2016 for sanction of Special Provident Fund, Encashment of Earned Leave / Private Affairs at his credit on the date of superannuation on 30.09.2014, within a reasonable period as may be fixed by the Honourable Court.

For Petitioner	: Mr.T.Ranganathan
For Respondent	: Mr.K.Dhananjayan Special Government Pleader

ORDER

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

2.The present writ petition has been filed seeking a Mandamus

directing the Respondent to pass appropriate orders on the representation of the petitioner dated 04.08.2016 for sanction of Special Provident Fund, Encashment of Earned Leave / Private Affairs at his credit on the date of superannuation on 30.09.2014, within a reasonable period as may be fixed by this Court.

3.The petitioner would state that he was initially appointed as Village Administrative Officer in the Cuddalore District on 12.03.1984 and was subsequently promoted as Assistant/ Revenue Inspector in the year 2004. The petitioner was further promoted as Deputy Tahsildar during the year 2010 and was promoted as Tahsildar during the year 2014. The petitioner reached the age of superannuation on 30.09.2014 and the District Collector, Cuddalore District vide proceedings dated 30.09.2014 allowed the petitioner to retire from service. Consequently, the petitioner was sanctioned with pension, DCRG by the Principal Accountant General, Tamil Nadu, but the District Collector has not released the petitioner's personal benefits of Special Provident Fund, Encashment of Earned Leave and Private Affairs at his credit as on the date of superannuation. Hence, the petitioner made several representations, but the said representations were not considered by the respondent. Hence, this petition.

4. Heard the submissions of the learned counsel appearing for the petitioner and the learned Special Government Pleader who takes notice for the respondents.

5. Considering the submissions made on either side and without going into the merits of the case, this Court directs the respondent to consider the petitioner's representation dated 04.08.2016, on merits and in accordance with law and pass appropriate orders, within a period of three weeks from the date of receipt of a copy of this order.

6. It is made clear that this Court has not expressed any opinion with regard to the merits of the claim made by the petitioner and it is for the respondent to decide the matter, purely on merits.

7. The writ petition is disposed of accordingly. No costs.

18.10.2016

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Index: Yes/ No
Internet: Yes/ No

To

The District Collector,
Cuddalore District,
Cuddalore.

R.SUBBIAH,J.

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