

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11.02.2016

CORAM:

THE HONOURABLE MR.JUSTICE T.RAJA

WRIT PETITION NO.5097 OF 2016

Lt.Col.A.Jaithoon

...Petitioner

Versus

- 1 The Chief Secretary to Government
Public (Ex-Ser) Department
Secretariat, Chennai
- 2 The Director
Directorate of Ex Servicemen Welfare
22, Raja Muthaiah Salai, Chennai-3
- 3 The Accountant General
Nandanam, Chennai-35 ...Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a writ of mandamus directing the respondents to pay the petitioner provident fund, closure of leave account (EL & LPA), gratuity, subsistence allowance from May 2015 and all monetary benefits as sought vide representation dated 21.01.16.

For Petitioner ..Mr.N.A.Nissar Ahmed
For Respondents 1 & 2 ..Mr.R.Vijayakumar
Additional Government Pleader

ORDER

The Lt.Col.A.Jaithoon has been facing a disciplinary proceedings and therefore she was placed under suspension by G.O.Ms.818, dated 29.09.2012 for certain charges alleged to have been committed by her during her tenure at Cuddalore. In the mean while, the petitioner reached the age of superannuation on 30.04.2015. Earlier she was putting more than 23 ½ years of service in Army. Therefore, she has given representation dated 21.01.2016 seeking disbursement of Provident Fund and Earned Leave Salary, LPA and Subsistence Allowance, as they are all her absolute rights and they are nothing doing with any disciplinary proceedings.

2. At this time, Mr.R.Vijayakumar, learned Additional Government Pleader, taking on notice on behalf of respondents 1 and 2 sought for eight weeks time to consider the representation.

3. Recording the statement of the learned Additional Government Pleader, the Writ Petition is disposed of and the second respondent is directed to dispose of the pending representation of the petitioner dated 21.01.2016 on merits and in accordance with law, within a period of eight weeks from the date of receipt of a copy of this order. No costs.

Sd/-
Assistant Registrar(AS)

//True Copy//

Sub Assistant Registrar

mra

To

- 1 The Chief Secretary to Government
Public (Ex-Ser) Department
Secretariat, Chennai
- 2 The Director
Directorate of Ex Servicemen Welfare
22, Raja Muthaiah Salai, Chennai-3
- 3 The Accountant General
Nandanam, Chennai-35

+1cc to Mr.N.A. Nissar Ahmed, Advocate, S.R.No.8901
+1cc to the Government Pleader, S.R.No.9133

SAI(CO)
EU(26/02/2016)

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