

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

DATED: 20.06.2016

CORAM:

THE HONOURABLE MR.JUSTICE T.RAJA

WEB COPY

W.P (MD) No.10329 of 2016

V.Siriapushpam Eskalin

... Petitioner

Vs.

1.The Inspector General of Registration,
Santhome, Chennai - 600 028.

2.The District Registrar,
Registration Department,
Thoothukudi District,
Thoothukudi.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents 1 and 2, i.e., the Inspector General of Registration, Chennai and the District Registrar, Registration Department, Thoothukudi, to pass appropriate orders on the representation dated 26.03.2016 regarding payment of arrears of increment and payment of Special Provident Fund within a specified time frame that may be fixed by this Court.

For Petitioner	: Mr.S.Visvalingam
For Respondents	: Mr.M.Rajarajan, Govt. Advocate

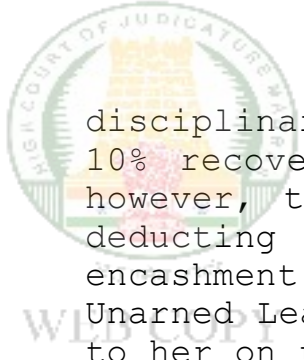
ORDER

This writ petition has been filed seeking a Writ of Mandamus to direct respondents-1 and 2, i.e., the Inspector General of Registration, Chennai, and the District Registrar, Registration Department, Thoothukudi, to pass appropriate orders on the petitioner's representation, dated 26.03.2016, regarding payment of arrears of increment and payment of Special Provident Fund, within a specified time-frame that may be fixed by this Court.

2. Mr.M.Rajarajan, learned Government Advocate takes notice for the respondents.

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

4. The petitioner, while serving as Audit Assistant in the Office of the second respondent - the District Registrar, Registration Department, Thoothukudi District, suffered a



disciplinary proceedings which finally ended with a punishment of 10% recovery permanently from the Death-cum-Retirement Gratuity, however, the pension was ordered to be paid. Subsequently, after deducting 10% recovery from the DCRG, final pension and also encashment of leave salary were disbursed, however, encashment of Unearned Leave and sanction of Special Provident Fund were not paid to her on the date of retirement.

5. Even after the District Registrar, Thoothukudi, in his proceedings, dated 03.02.2016, intimated the petitioner that the encashment of Unearned Leave and the arrear amount of increment from the date of regularisation was already ordered to be disbursed to her, she was not paid the same, whereupon, she made a representation, dated 26.03.2016, for disbursement of the said benefits. Finding no response, the petitioner is before this Court.

6. Considering the limited nature of the prayer sought for by the petitioner, this Court, without going into the merits of the petitioner's claim, directs respondents 1 and 2 to consider the representation of the petitioner, dated 26.03.2016, on its own merits and in accordance with law, within a period of three weeks from the date of receipt of a copy of this order. It is made clear that this Court has not expressed any opinion on the merits of the case and the authority concerned is free to deal with the matter on its own merits, as per law.

7. With the above direction, this writ petition stands disposed of. No costs.

Sd/-

Assistant Registrar (W)

/True copy/

Sub Assistant Registrar

To

1.The Inspector General of Registration,
Santhome, Chennai - 600 028.

2.The District Registrar, Registration Department,
Thoothukudi District, Thoothukudi.

+1 cc to M/s.S.Visvalingam, Advocate in SR.No.31532

+1 cc to The Special Government Pleader in SR.No. 32052

rsb

CSL/NGM-MP/28.06.2016 : 2p/5c

W.P(MD)No.10329 of 2016
20.06.2016