



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 25.11.2016

CORAM:

THE HONOURABLE DR.JUSTICE S.VIMALA

W.P (MD) No.22604 of 2016

Solaimalai : Petitioner

Vs.

1.The District Collector,  
Dindigul District,  
Dindigul.

2.The Revenue Divisional Officer,  
Dindigul, Dindigul District. : Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the respondents to disburse the gratuity, special provident fund, General provident fund and encashment of earned leave along with unearned leave benefits within the time frame that may be stipulated by this Court.

For Petitioner : Mr.D.Shanmugaraja Sethupathi  
For Respondents : Mr.A.Muthukaruppan,  
Additional Government Pleader.

#### O R D E R

This writ petition has been filed for issuance of a Writ of Mandamus, directing the respondents to disburse the gratuity, special provident fund, General provident fund and encashment of earned leave along with unearned leave benefits to the petitioner.

2.Heard the learned counsel appearing for the petitioner and the learned Additional Government Pleader, who took notice for the respondents. By consent, the writ petition itself is taken up for final disposal.

3.The facts leading to the filing of this writ petition are as follows:

The petitioner was working as a Village Administrative Officer in Kanavaipatti Village, Dindigul District. He was facing a criminal case in Crime No. 3 of 2005, registered by the Inspector of Police, Vigilance and Anti-Corruption. He has been found guilty, by the Judgment dated 10.12.2015. Challenging the same, he



has filed an appeal in CrI.A(MD)No.374 of 2015 and sentence has been suspended.

In pursuance of the said conviction and sentence, the petitioner has been dismissed from service by the order dated 25.10.2016. Pending criminal appeal, he attained the age of superannuation. Therefore, he has submitted a representation dated 26.10.2016 to the respondents seeking to disburse the monetary benefits, namely, General provident fund, special provident fund and earned leave salary payable to him. As the representation is not considered, this writ petition has been filed.

4.The learned counsel for the petitioner relies upon the Judgment of this Court in W.P(MD)Nos.979 and 980 of 2016, dated 19.01.2016, where-under, there was a direction to the respondents therein to settle the General Provident Fund, Special Provident Fund and the Earned Leave encashment benefits to the petitioners therein, who were entitled to, even if they had been dismissed from service.

5.Under such circumstances, the second respondent is directed to consider the representation of the petitioner dated 26.10.2016, in the light of the Judgment of this Court passed in W.P(MD) Nos.979 and 980 of 2016, dated 19.01.2016 and to pass orders within a period of four weeks, from the date of receipt of a copy of this order.

6.With the above direction, this writ petition is disposed of. No costs.

Sd/  
Assistant Registrar(CrI.Side)

/True Copy/

Sub Assistant Registrar.

To

1.The District Collector, Dindigul District, Dindigul.

2.The Revenue Divisional Officer,  
Dindigul, Dindigul District.

+1CC to M/S.N.Padmaboopathi, Advocate, SR.No. 73385

ORDER MADE IN  
W.P (MD) No.22604 of 2016  
25.11.2016