

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.04.2017

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

W.P.No.10357 of 2017

S.T.Rajendran

.. Petitioner

-vs-

The Sub Collector
Ponneri
Tiruvallur District

.. Respondent

Petition under Article 226 of the Constitution of India, praying for the issue of a Writ of Mandamus, directing the respondent to disburse the Gratuity, General Provident Fund, Special Provident Fund, Encashment of Earned Leave and Encashment of Un-earned Leave on private affairs to the petitioner.

For Petitioner :: Mr.C.Prakasam

For Respondent :: Mr.T.M.Pappiah
Special Government Pleader

ORDER

The petitioner was not permitted to retire from service, although he reached the age of superannuation on 30.4.2013, because, while he was serving as Village Administrative Officer, due to certain alleged irregularities, he was placed under suspension on 14.9.2010 and he is also presently facing both the departmental and criminal cases. While admitting the above facts, his limited prayer before this Court is that he has made a representation on 28.9.2016 requesting the respondent to disburse the General Provident Fund, encashment of earned leave and encashment of unearned leave on private affairs, which he is entitled to irrespective of the pendency of the disciplinary proceedings. Taking support from the order passed by a Division Bench in Writ Appeal No.207 of 2016 dated 26.2.2016 (The Chairman cum Managing Director, TANGEDCO and two others v. P.K.Panchaksharam), learned counsel for the petitioner submitted that the representation of the petitioner may be directed to be considered, in the light of the aforesaid Division Bench order, for disbursal of the General Provident Fund, encashment of earned leave and encashment of unearned leave on private affairs.

2. Mr.T.M.Pappiah, learned Special Government Pleader takes notice on behalf of the respondent.

3. Since the petitioner seeks for disbursement of General Provident Fund, encashment of earned leave and encashment of unearned leave on private affairs standing to his credit, the petitioner is directed to make a fresh representation to the respondent enclosing a copy of the aforementioned Division Bench order as well as this order within one week from the date of receipt of a copy of this order and on receipt of such representation, the respondent shall pass appropriate orders within a period of six weeks thereafter. The writ petition is disposed of accordingly. No costs.

Sd/-
Asst.Registrar

/true copy/

Sub Asst. Registrar

ss

To

The Sub Collector
Ponneri
Tiruvallur District

+1cc to M/s.C.Prakasam,Advocate sr.25479

+1cc to Government Pleader sr.25321

W.P.No.10357 of 2017

mp(co)
ss(8/5/2017)

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