

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :04.09.2017

CORAM

THE HON'BLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No.7456 of 2016

B.Prakasam

..Petitioner

Vs

Principal Secretary to Government  
Co-operative, Food & Consumer  
Protection Department  
Government of Tamil Nadu  
Fort St.George  
Chennai 600 009.

.. Respondent

PRAYER : Petition filed Under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the respondent to consider the representation of the petitioner dated 01.12.2014 and 21.12.2014 and to release all retirement benefits to petitioner, within time fixed by this Hon'ble Court.

For Petitioner : Mr.K.Sukumaran

For Respondent : Mr.L.P.Shamuga Sundaram  
Special Government Pleader

O R D E R

The relief sought for in this writ petition is for a direction, to direct the respondent to consider the representation submitted by the writ petitioner dated 01.12.2014 and 21.12.2014 and release all retirement benefits to the writ petitioner within the time fixed.

2. The writ petitioner was holding the post of Additional Registrar of Co-operative Societies and was placed under suspension in Proceedings No.GO (2D) No.121, Co-operative, Food & Consumer Protection Department dated 31.12.1996. The Government passed another GO (3D) No.63 Co-operative, Food & Consumer Protection Department, dated 28.06.2002, in preventing the writ petitioner from retiring from service and his services are retained under Section 56(1) (c) of the Fundamental Rules. The writ petitioner cannot seek any direction for the disbursement of his retirement and terminal benefits. Therefore,

the claim of the writ petitioner cannot be considered as he was not allowed to retire from service, and was placed under suspension, on account of the initialization of disciplinary proceedings.

3. In this view of the matter, no further consideration on the grounds raised in this writ petition needs to be undertaken and accordingly, the writ petition stands dismissed. However, there shall be no order as to costs.

Sd/-

Assistant Registrar(CS )

//True Copy//

Sub Assistant Registrar

dna

To

The Principal Secretary to Government  
Co-operative, Food & Consumer Protection Department  
Government of Tamil Nadu  
Fort St.George  
Chennai 600 009.

+ 1 cc to MR.K. Sukumaran, Advocate Sr.64161

+ 1 cc to Government Pleader SR.64530

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KJI(CO)  
EU(06/10/2017)

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