

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02.07.2018

CORAM

THE HONOURABLE MR.JUSTICE SATRUGHANA PUJAHARI

W.P.No.15908 of 2018

P.Vaithilingam ... Petitioner
...vs...

- 1.The Principal Secretary to Government,
Home Department,
Fort St. George,
Chennai- 600 009.
2. The Accountant General,
Office of the Accountant General,
Tamil Nadu, No.301, Anna Salai,
Teynampet, Chennai- 600 018.
3. The Superintendent of Police
Thiruvannamalai District
Thiruvannamalai ... Respondents

Prayer:- Writ Petition filed under Article 226 of the Constitution of India praying for a writ of Mandamus directing the first respondent to adjust his suspension period from 28.07.2015 to 31.07.2015 from the account of earned leave and to disburse his 11 months leave salary based on the petitioner's representation dated 14.03.2018, 27.03.2018 and 09.05.2018.

For Petitioner : Mr.S.Kumara Devan

For Respondents : Mr.V.Kadhirvelu
Special Government Pleader

ORDER

This Writ Petition has been filed seeking for a direction to the first respondent to adjust the suspension period of the petitioner i.e. from 28.07.2015 to 31.07.2015 from the account of earned leave and to disburse his 11 months leave salary based on the petitioner's representation dated 14.03.2018, 27.03.2018 and 09.05.2018.

2. Mr.V.Kadhirvelu, learned Special Government Pleader

takes notice for the respondents 1 and 3.

3. Considering the limited relief sought for by the petitioner, this Court is of the view that no useful purpose is going to be served by seeking counter affidavit from the respondents.

4. By consent of both sides as such this Writ Petition is taken up and disposed of at the stage of admission itself.

5. Heard the learned counsel for the petitioner. The grievance of the petitioner is that he was under suspension on the date of superannuation but he was allowed to retire. He has received all the terminal benefits except the leave salary, for which he has made a representation on 14.03.2018 followed by subsequent representations dated 27.03.2018 and 09.05.2018 But, the authority i.e. the first respondent is yet to take a decision on the same. Hence, the petitioner has come to this Court with this Writ Petition seeking for the aforesaid relief.

6. Regard being had to the aforesaid facts and submissions made, this Writ Petition is disposed of with a direction to the first respondent to take an informed and considered decision on the representation of the petitioner dated 14.03.2018 and subsequent representations dated 27.03.2018 and 09.05.2018 in accordance with law, within a period of eight weeks from the date of receipt of a copy of this order, if the same are pending and there is no legal impediment to dispose of the same. However, it is made clear that this Court has expressed no opinion on the merits of the representation. No costs.

Sd/-

Assistant Registrar (CS IX)

//True copy// सत्यमेव जयते

Sub Assistant Registrar

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To

1. The Principal Secretary to Government,
Home Department,
Fort St. George,
Chennai- 600 009.

WEB COPY

2. The Accountant General,
Office of the Accountant General,
Tamil Nadu, No.301, Anna Salai,
Teynampet, Chennai- 600 018.

3. The Superintendent of Police
Thiruvannamalai District
Thiruvannamalai

+lcc to Mr.S.Kumara Devan, Advocate SR.No.42133

WP.No.15908 of 2018

GN(16/07/2018)



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