

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.11.2018

CORAM

THE HON'BLE DR.JUSTICE S.VIMALA

W.P.No.30034 of 2018

V.Balakrishnasamy

... Petitioner

Vs

1.The Sub Collector
Office of the Sub Collector
Pollachi.

2.The Divisional Deputy Tahsildar
Office of the Revenue Divisional
Pollachi.

.... Respondents

For Petitioner : M/s.M.Raja Sekhar

For Respondents : Mr.R.S.Selvam
Government Advocate

Prayer : Writ Petition filed under Article 226 of the Constitution of India seeking a writ of Mandamus directing the respondents to consider the representation dated 10.09.2018 and disburse the Special Provident Fund, with interest, Earned and Unearned leave within the time stipulated by this Honourable Court.

सत्यमेव जयते
O R D E R

The petitioner was working as a Village Administrative Officer in Unjavelampatti, Pollachi Taluk. He was suspended on the charges of corruption on 11.03.2015 and a case was registered in Crime No.1/2015/AC/CB. The petitioner attained the age of superannuation on 31.05.2015, however the first respondent has not permitted him to retire on the ground of pendency of criminal proceedings.

2. Learned counsel for the petitioner submits that the petitioner has given a representation dated 10.09.2018 to the first respondent to disburse the Special Provident Fund (with interest) and benefits of Earned and Unearned leave.

3. Mr.R.S.Selvam, learned Government Advocate takes notice for the respondents and produced a communication dated 16.11.2018, in which it is stated that the amount payable to the petitioner herein is permitted to be released in accordance with the rules and instructions have been given to the Tahsildar, Pollachi.

4. Recording the same, the writ petition is disposed of with a direction to the Tahsildar, Pollachi to disburse the Special Provident Fund (with interest) and benefits of surrender of Earned and Unearned leave, due to the petitioner within a period of two weeks from the date of receipt of a copy of this order. No costs.

Sd/-
Assistant Registrar

//True copy//

Sub Assistant Registrar

KST
To

1.The Sub Collector, Office of the Sub Collector
Pollachi.

2.The Divisional Deputy Tahsildar,Office of the
Revenue Divisional Pollachi.

+1cc to Mr.M.Rajasekar, Advocate SR.No.80239

+1cc to Government Pleader SR.No.80416

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SSD (CO)

GMV (17/12/2018)

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