



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 27.03.2018

CORAM :

WEB COPY

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P.(MD)No.4350 of 2018

V.Balasubramanian

... Petitioner

Vs.

1.The District Collector,
(Panchayat Development Unit),
Collectorate Complex,
Madurai - 625 020.

2.The Block Development Officer,
(Village Panchayat),
Kalligudi Panchayat Union,
Tirumangalam Taluk,
Madurai District.

... Respondents

Prayer: Writ Petition - filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the first respondent i.e. the District Collector, Madurai to disburse the Encashment of Leave Salary which was earned by the petitioner while he was in service based on his representation dated 22.12.2017 and earlier orders of the Hon'ble High Court in WP.No.16098 of 2015 dated 08.06.2015, W.P.(MD)No.1484 of 2016 dated 29.01.2016 and in W.P.(MD)No.11791 of 2017 dated 27.06.2017 within a specified time frame that may be fixed by this Hon'ble Court.

For Petitioner	: Mr.S.Visvalingham
For R-1	: Mr.Jeyakumar
	Additional Government Pleader
For R-2	: Mr.M.Pandiarajan

ORDER

Heard the learned counsel on either side.

2.By consent of both parties, the main Writ Petition is taken up for final disposal.

<https://hcservices.courts.gov.in/hcservices/> 3. The petitioner, who is aged about 63 years, was employed in the Revenue Department. He was not allowed to retire



on reaching the age of superannuation. He is still kept under suspension. He has given a representation dated 22.12.2017 for disbursement of the encashment of leave salary.

4. The learned counsel appearing for the petitioner submits that the corruption case is still pending against him, that is why, he has not been allowed to retire.

5. Even a dismissed employee cannot be deprived of certain benefits such as Encashment of Leave Salary.

6. The first respondent is, therefore, directed to quantify the service benefits payable to the petitioner and disburse the same within a period of ten weeks from the date of receipt of a copy of this order.

6. The Writ Petition stands allowed accordingly. No costs.

Sd/-
Assistant Registrar (CS-III)

/True copy/

Sub Assistant Registrar

tsg
To

1 The District Collector,
(Panchayat Development Unit),
Collectorate Complex,
Madurai - 625 020.

2 The Block Development Officer,
(Village Panchayet)
Kalligudi Panchayat Union,
Tirumangalam Taluk,
Madurai District.

+1 cc to Special Government Pleader SR.No.59234, 59051 and 58471

W.P. (MD) No.4350 of 2018
27.03.2018

SMA/SV-MMS/SAR-2/30.05.2018:2P/4C