



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated : 08.03.2018

CORAM :

WEB COPY

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.4975 of 2018

T.S.Sooriyanarayanamoorthy

... Petitioner

Vs.

1.The District Collector,
Madurai District, Madurai - 625 020.

2.The District Revenue Officer,
Madurai District,
Collectorate Complex,
Madurai - 625 020.

3.The Special Tahsildar (LA),
Madurai Airport Expansion Unit - I,
Madurai - 625 020.

... Respondents

Prayer : Writ Petition is filed under Article 226 of the Constitution of India to issue a Writ of Mandamus to direct the first respondent i.e., the District Collector, Madurai to pass appropriate orders on the petitioner's representation dated 05.02.2018 regarding sanction of Encashment of Leave Salary, General Provident Fund and Special Provident Fund based on the specific earlier orders of this Court within a specified time frame.

For Petitioner : Mr.S.Visvalingam

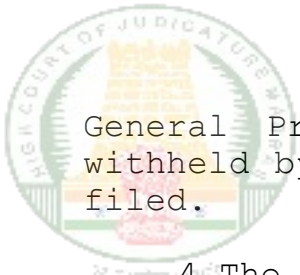
For Respondents : Mr.K.Saravanan,
Government Advocate

ORDER

Mr.K.Saravanan, the learned Government Advocate takes notice for the respondents.

2.By consent of both parties, the writ petition is taken up for disposal at the admission stage itself.

3.The petitioner was working as a Special Revenue Inspector (LA) in Madurai Airport Expansion Unit-I, Madurai. He was removed from service based on the sentence and fine awarded in S.C.No.19/2011 dated 22.05.2015 by the Special Court for Prevention of Corruption Cases, Madurai. In view of the same, sanction of



General Provident Fund and Special Provident Fund amounts were withheld by the respondents. Hence, this writ petition came to be filed.

4. The learned counsel appearing for the petitioner submitted that the petitioner is not pressing the claim for Gratuity and DCRG, as he is not entitled to claim the same till the disposal of the said corruption case. Now, the only claim for the petitioner is to disburse the General Provident Fund, Special Provident Fund and the Earned Leave Encashment.

5. This Court has held on more than one occasion, these benefits could not be denied to the person, even if he is ultimately dismissed from service. Hence, a direction is issued to the first respondent to consider the petitioner's representation dated 05.02.2018 regarding the disbursement of general provident fund, special provident fund and earned leave encashment and pass appropriate orders within a period of eight weeks from the date of receipt of a copy of this order.

6. This writ petition is allowed as indicated above. No costs.

Sd/-

Assistant Registrar (CS-II)

/True Copy/

Sub Assistant Registrar

To

1. The District Collector,
Madurai District,
Madurai - 625 020.

2. The District Revenue Officer,
Madurai District,
Collectorate Complex,
Madurai - 625 020.

3. The Special Tahsildar (LA),
Madurai Airport Expansion Unit - I,
Madurai - 625 020.

+1cc to Special Government Pleader, SR.No. 54312
+1cc to M/S.S.Visvalingam, Advocate SR.No. 54005

W.P (MD) No. 4975 of 2018

08.03.2018

skm

<https://hcservices.ecourts.gov.in/hcservices/>

JM/SKN RSK/SAR 2/28.03.2018/2P/6C