



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 21.03.2018

CORAM :

WEB COPY

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P.(MD).No.5994 of 2018

G.Murugan

...Petitioner

Vs.

1.The Secretary to Government,
Revenue Department,
Secretariat,
Chennai - 600009.

2.The Special Commissioner and Commissioner of Revenue,
Administration,
Ezhilagam,
Chepauk,
Chennai - 600005.

3.The District Collector,
Dharmapuri District,
Dharmapuri.

... 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 Secretary to Government, Revenue Department, Chennai to pass appropriate orders on the petitioner's representation dated 22/01/2018 regarding payment of General Provident Fund Encashment of Leave Salary and Special Provident Fund within a specified time frame that may be fixed by this Honourable High Court.

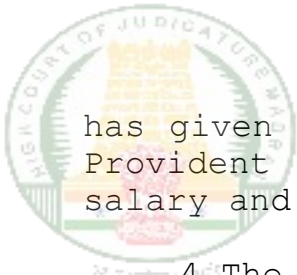
For Petitioner : Mr.S.Visvalingam
For Respondents : Mr.K.Saravanan
Government Advocate

ORDER

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

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

3.The writ petitioner, who is aged about 70 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 22.01.2018 for disbursement of the Provident Fund laying to his credit and for encashment of leave salary and other benefits.

4. The learned counsel appearing for the petitioner submits that the criminal 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 Provident Fund and 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.

7. The Writ Petition is allowed accordingly. No costs.

Sd/-
Assistant Registrar (T&P)

/True Copy/

Sub-Assistant Registrar

To

1. The Secretary to Government,
Revenue Department,
Secretariat,
Chennai - 600009.

2. The Special Commissioner and Commissioner of Revenue,
Administration,
Ezhilagam,
Chepauk,
Chennai - 600005.

3. The District Collector,
Dharmapuri District,
Dharmapuri.

+1cc to Mr. S. Visvalingam, Advocate, SR.No.56631
+1cc to the Special Government Pleader, SR.No.57296

tsg
RL/6C/2P/JC/SAR1/3/5/2018