

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:06.06.2019

Coram

The Hon'ble Mr. Justice V.PARTHIBAN

W.P.No.13917 of 2019

Sankara Raman

.. Petitioner

Vs.

1.The Agricultural Production
Commissioner and Secretary
to Government,
Agricultural Department,
Fort St.George, Chennai-600 009

2.The Director of Agriculture,
Chepauk, Chennai-5,

3.The Principal Accountant General(A.E.),
Teynampet, Chennai-600 018

...Respondents

Petition filed under Article 226 of the Constitution of India praying to issue a writ of mandamus directing the respondents to dispose of the final representation of the petitioner dated 05.04.2019 with regard to disbursement of the General Provident Fund of sum of Rs.2,05,842/- (Rupees Two Lakhs Five Thousand Eight Hundred and Forty Two only) with interest to the petitioner within short date that may be fixed by this Court.

For Petitioner : Ms.G.Sridevi

For Respondents: Mr.J.Pothiraj, Spl.G.P.

ORDER

The petitioner was appointed as Assistant Agricultural Officer on 05.11.1981 in the office of the Assistant Director of Agriculture, Karaikudi in Sivagangai District. Subsequently, in 2008 he was promoted as Deputy Agricultural Officer and posted in the Office of the Assistant Director of Agriculture, Gummidipoondi. The petitioner had attained Superannuation on 30.04.2018, while he was working as Deputy Agricultural Officer in the Office of the Assistant Director of Agriculture, Pallipattu, Thiruvallur District.

2.While things stood thus, he was placed under suspension on the ground that enquiry into the grave charges against him is pending and an order to that effect was passed on 24.04.2018 and he was not permitted to retire on the day of Superannuation i.e. on 30.04.2018. According to the petitioner, though the charge memo was issued in the year 2017 with regard to the audit objection relating way back to 2007-2008 to 2010-2011, so far no enquiry was conducted and only audit objection copy was given to him. Except the provisional pension, he was not disbursed with any of his savings. According to the petitioner, the respondents have no authority to retain the General Provident Fund, SPF, Earned Leave and his savings. In this regard, the petitioner made several representations seeking disbursement of the GPF and other savings and it went only to the deaf ears and no reply was forthcoming from the respondents. The petitioner further states that he has borrowed money as a hand loan from outsiders to meet out his medical expenses, for which he is paying exorbitant amount towards interest. Finally, the petitioner gave a representation dated 05.04.2019, seeking disbursement of the general provident fund of Rs.2,05,842/-, which was received by the respondents on 6.4.2019 and 8.4.2019, respectively, however, till date there was no response to the said representation. Hence, the petitioner is before this Court with this writ petition.

3.When the matter is taken up for hearing, the learned counsel for the petitioner seeks a direction to the respondents to dispose of the representation submitted by the petitioner.

4.Mr.J.Pothiraj, the learned Special Government Pleader, takes notice on behalf of the respondents.

5.Since the prayer in the writ petition is limited in its scope, the writ petition is disposed of with a direction to the respondents to consider and dispose of the representation of the petitioner dated 05.04.2019, on merits and in accordance with law, within a period of four weeks from the date of receipt of a copy of this order. No costs.

msk

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

To

1.The Agricultural Production
Commissioner and Secretary
to Government, Agricultural Department,
Fort St.George, Chennai-600 009

2.The Director of Agriculture,
Chepauk, Chennai-5,

3.The Principal Accountant General (A.E.),
Teynampet,
Chennai-600 018

+1cc to M/s.G.Sridevi, Advocate, SR.No.45213
+1cc to the Govt.Pleader, Vide Sr.No.45821

W.P.No.13917 of 2019

Kak(17/07/2019)



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