

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.12.2019

CORAM

THE HON'BLE MR.JUSTICE N.ANAND VENKATESH

W.P.No.34320 of 2019

K.Sundararajan

... Petitioner

Vs.

1.The Secretary to Government,
Rural Development Department,
Secretariat, Chennai 600 009.

2.The Director of Rural Development &
Panchayatraj Department,
Panagal Building, Saidapet,
Chennai 600 015.

3.The District Collector,
Salem District,
Salem.

... Respondents

Prayer:- Writ petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the respondents to sanction earned leave and unearned leave to his credit in accordance with fundamental rule viz., 86 (a) (i) (ii) (iii) as well as gratuity in accordance with rule 60 of Tamil Nadu pension rules 1978 to the petitioner.

For Petitioner : Mr.V.Suthakar

For Respondents : Mr.V.Prabhu
Government Advocate

O R D E R

This writ petition has been filed for issuance of Writ of Mandamus directing the respondent to sanction earned leave and unearned leave and to pay the appropriate monetary benefits to the petitioner.

2. The case of the petitioner is that he was working as Block Development Officer and he attained the age of superannuation on 31.01.2019. However, the petitioner was not allowed to retire from service on the ground of disciplinary

proceedings pending against him. According to the petitioner, he is entitled for sanction of Earned leave and Unearned leave to his credit as per the Fundamental Rules. The petitioner is relying upon the judgment of this Court to strengthen his claim. The petitioner has made a representation to the respondent on 06.06.2019, seeking for the benefits and it is seen from records that the third respondent has forwarded his claim made by the petitioner to the second respondent. Since there is no action on the part of the second respondent, the present Writ Petition has been filed before this Court.

3. Heard Mr.V.Suthakar, learned counsel appearing for the petitioner and Mr.V.Prabhu, learned Government Advocate appearing for the respondents.

4. Taking into consideration the facts and circumstances of the case and the limited relief that has been sought for in this Writ Petition, there shall be a direction to the second respondent to consider the representation dated 06.06.2019, made by the petitioner and also the letter forwarded by the third respondent to the second respondent on 04.09.2019 and pass appropriate orders strictly in accordance with law, within a period of eight weeks from the date of receipt of a copy of this order. The petitioner is directed to give a fresh representation dated 06.06.2019 along with copy of the letter forwarded by the third respondent to the second respondent dated 04.09.2019 and also a copy of this order.

5. The Writ Petition is disposed of with the above directions. No costs.

Sd/-
Assistant Registrar

//True Copy//

सत्यमेव जयते
Sub Assistant Registrar

To

1.The Secretary to Government,
Rural Development Department,
Secretariat, Chennai 600 009.

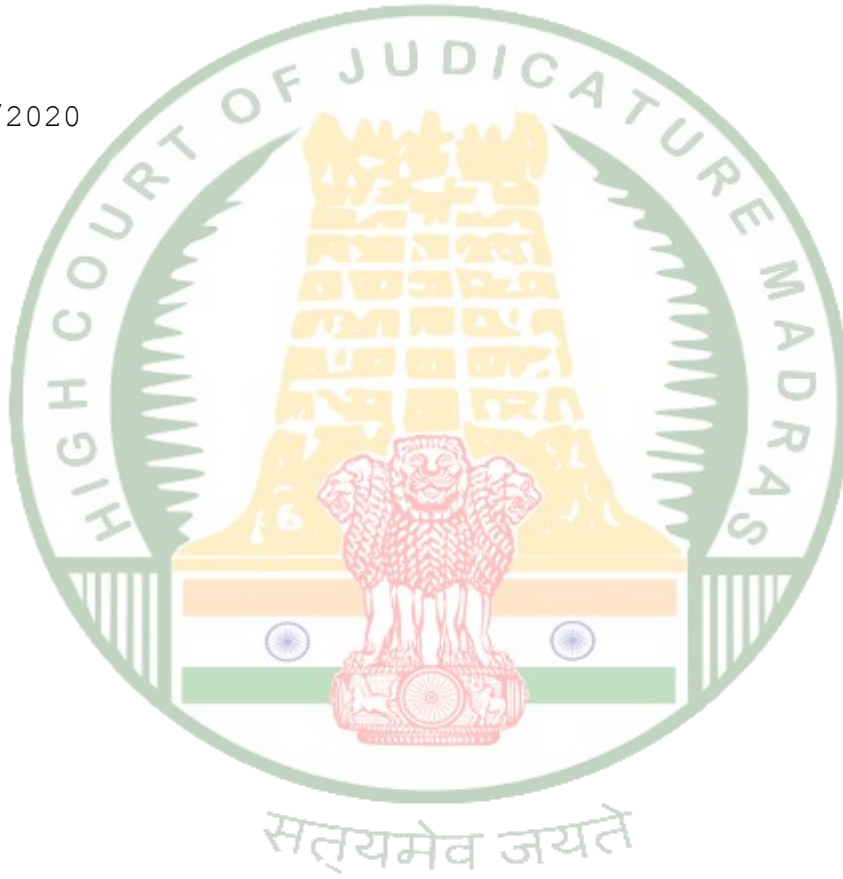
2.The Director of Rural Development &
Panchayatraj Department,
Panagal Building, Saidapet,
Chennai 600 015.

3.The District Collector,
Salem District,
Salem.

+1cc to the Government Pleader Sr.103147
+1cc to Mr.V.Suthakar, Advocate Sr.102990

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srg 29/01/2020



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