

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

DATED: 12.04.2019

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THE HONOURABLE MR.JUSTICE R.MAHADEVAN**W.P(MD)No.8803 of 2019**

V.Balasubramanian

... Petitioner

Vs.

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

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 praying for the issuance of a writ of Mandamus, directing the respondents to disburse the gratuity amount accrued to the petitioner with eligible interest within a time frame fixed by this Court.

For Petitioner : Mr.T.Balaji

For R - 1 : Mrs.J.Padmavathy Devi,
Special Government Pleader.

For R - 2 : Mr.Aayiram K.Selvakumar

ORDER

This writ petition has been filed seeking issuance of a writ of Mandamus, to direct the respondents to disburse the gratuity amount accrued to the petitioner with eligible interest within a time frame fixed by this Court.

2.Heard Mr.T.Balaji learned counsel appearing for the petitioner; Mrs.J.Padmavathy Devi, learned Special Government Pleader, who takes notice for the first respondent and Mr.Aayiram K.Selvakumar, learned counsel, who takes notice for the second respondent. By consent, the Writ Petition is taken up for final disposal at the stage of admission itself.



3.The case of the petitioner is that while he was working as a Block Development Officer, Kalligudi Panchayat Union, he was placed under suspension on 30.05.2012, pursuant to the initiation of criminal proceedings against him. The further case of the petitioner is that though he reached the age of superannuation on 31.05.2012, he was not allowed to retire from service on the date of superannuation, citing the pendency of the criminal case. Seeking gratuity amount, he made a representation, dated 19.06.2018 to the respondents and the same is pending without consideration. Hence, the petitioner is before this Court.

4.The learned Special Government Pleader as well as the learned counsel appearing for the respective respondents submitted that the representation of the petitioner would be considered on merits.

5.In view of the above submission, this Court, without going into the merits of the case, directs the respondents to consider the representation of the petitioner, dated 19.06.2018 seeking gratuity amount and pass appropriate orders, on merits and in accordance with law, within a period of six weeks from the date of receipt of a copy of this order, after affording an opportunity of hearing to the petitioner.

6.With the above direction, this Writ Petition stands disposed of. No costs.

Sd/-

Assistant Registrar (CS-III)

// True Copy //

Sub Assistant Registrar (CS)

To

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

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



+1 CC to M/s.T.BALAJI, Advocate (SR-60893[F] dated 12/04/2019)

+1 CC to M/s.SPL GP (SR-60997[F] dated 15/04/2019)

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