

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT****DATED: 20.06.2019****CORAM:****THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM****W.P. (MD) No.16064 of 2015**

G.Jeyaveeran

... Petitioner

-Vs-

1.The District Collector,
Thanjavur District,
Thanjavur.

2.The Revenue Divisional Officer,
Revenue Divisional Office,
Pattukottai, Thanjavur District.

3.The Tahsildar,
Peravurani Taluk Office,
Thanjavur District.

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Mandamus, directing the respondents 1 and 2 based on the petitioner's representation dated 20.04.2015 to pay the retirement benefits including gratuity with interest at the rate of 18% per annum within the time that may be stipulated by this Court.

For Petitioner
For Respondents

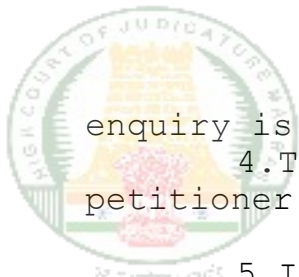
: Mr.D.R.Murugesan
: Mr.K.Mu.Muthu,
Additional Government Pleader.

ORDER

The relief sought for in the present Writ Petition is to direct the respondents 1 and 2 to settle the retirement benefits including gratuity with interest at the rate of 18% per annum to the writ petitioner.

2.The writ petitioner was holding the post of Village Administrative Officer and was placed under suspension on the eve of his retirement and he was not allowed to retire from service on 31.05.2003. The service of the writ petitioner was retained on account of the fact that departmental disciplinary proceedings were initiated and pending against the writ petitioner.

3.The learned Additional Government Pleader appearing on behalf of the respondents states that disciplinary proceedings initiated against the writ petitioner were referred to the Tribunal for Disciplinary Proceedings at Trichirappalli and at present, an



enquiry is pending before the Tribunal in TDP.No.14 of 2011.

4.The learned counsel appearing on behalf of the writ petitioner states that enquiry has already been completed.

5.If so, the competent authorities are bound to proceed with the matter and pass final orders in the departmental disciplinary proceedings by following the procedures contemplated. However, a direction as such sought for to settle the terminal benefits cannot be granted during the pendency of the departmental disciplinary proceedings. Admittedly, departmental disciplinary proceedings are pending before the Tribunal Disciplinary Proceedings, Trichirappalli and even after completion of enquiry, the discipline authority has to pass final orders by following the procedures.

6.This being the factum, the case of the writ petitioner has to be considered only after the disposal of the departmental disciplinary proceedings now pending against him.

7.With these observations, this Writ Petition stands dismissed. No costs.

Sd/-

Assistant Registrar (P AND A)

// True Copy //

Sub Assistant Registrar(CS)

To

1.The District Collector,
Thanjavur District,
Thanjavur.

2.The Revenue Divisional Officer,
Revenue Divisional Office,
Pattukottai, Thanjavur District.

3.The Tahsildar,
Peravurani Taluk Office,
Thanjavur District.

+1 CC to M/s.D.R.MURUGESAN, Advocate (SR-70499[F] dated
21/06/2019)

+1 CC to M/s.SPL GP (SR-70671[F] dated 21/06/2019)

W.P (MD) No.16064 of 2015
20.06.2019

MYR

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