



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 08.08.2019

CORAM:

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P. (MD)No.1663 of 2014

and

M.P. (MD)No.1 of 2014

K.Periyasamy

... Petitioner

-Vs-

The Revenue Divisional Officer,
Kulithalai, Karur District.

... Respondent

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondent to grant the retirement benefits namely Pension and Gratuity to the petitioner.

For Petitioner : Mr.C.Sundaravadivel

For Respondent : Mr.D.Muruganantham,
Additional Government Pleader.

ORDER

The relief sought for in the present Writ Petition is for a direction to direct the respondent to settle the gratuity, retirement and pensionary benefits to the writ petitioner.

2.The writ petitioner, who was working as Village Administrative Officer, was arrested by the department of Vigilant and Anti Corruption and a criminal case is registered against him in Spl.C.C.No.39 of 2012, under the Prevention of Corruption Act and the same is pending against the writ petitioner. Meanwhile, the writ petitioner attained the age of superannuation and he was not allowed to retire from service and placed under suspension and his services are also retained under the fundamental rules.

3.Thus, the relief as such sought for to settle the terminal and retirement benefits, is to be considered only after the disposal of the case as well as the departmental disciplinary proceedings. However, the writ petitioner is entitled to get subsistence allowance not exceeding the provisional pension as per the rules.



W.P.(MD)No.1663/2014

4. With these observations, this Writ Petition stands dismissed. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar

// True Copy //

Sub Assistant Registrar(CS)

To

The Revenue Divisional Officer,
Kulithalai,
Karur District.

+1 CC to SPL GP SR-81123.

W.P. (MD) No. 1663 of 2014

08.08.2019

CS (28.08.2019) 2P 3C