



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 16.10.2019

CORAM:

THE HONOURABLE MS.JUSTICE V.M.VELUMANI

W.P. (MD) No.21806 of 2019

WEB COPY

V.Dhasaratharajan

... Petitioner

-Vs-

The Deputy Inspector General of Police,
Ramanathapuram Range,
Ramanathapuram.

... Respondent

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondent I.e., Deputy Inspector General of Police, Chennai to take immediate action to disburse the encashment of leave salary and special provident fund of the petitioner's contribution within a specified time frame that may be fixed by this Court.

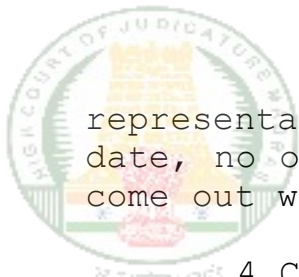
For Petitioner : Mr.S.Visvalingam
For Respondent : Mr.V.R.Shanmuganathan,
Special Government Pleader.

ORDER

This Writ Petition is filed for a direction to the respondent to take immediate action to disburse the encashment of leave salary and special provident fund of the petitioner's contribution within a specified time frame that may be fixed by this Court.

2.Mr.V.R.Shanmuganathan, learned Special Government Pleader takes notice for the respondent. By consent of both parties, this Writ Petition is taken up for final disposal at the stage of admission itself.

3.According to the petitioner, he was serving as Inspector of Police under the control of the respondent and his date of superannuation was on 30.06.2009, however, he was not allowed to retire from service and placed under suspension, by the proceedings of the respondent dated 29.06.2009, based on the criminal case registered against the petitioner in Crime No.3 of 2007 on the file of the Vigilance and Anti Corruption Wing, Ramanathapuram. Due to the same, the petitioner is not entitled for regular pension and death cum retirement gratuity. However, he is entitled for encashment of leave salary and special provident fund, as per the order of this Court dated 29.01.2016 made in W.P.(MD)No.1484 of 2016 and 27.06.2017 made in W.P.(MD) No.1794 of 2017. Therefore, the petitioner has sent a



representation to the respondent on 26.08.2019. However, till date, no order has been passed thereon. Hence, the petitioner has come out with the present Writ Petition.

4.Considering the facts and circumstances of the case and also considering the submission of the learned counsel appearing for the petitioner, it is suffice to direct the respondent to consider the representation of the petitioner, dated 26.08.2019 on merits and pass orders in accordance with law, as expeditiously as possible.

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

Sd/-

Assistant Registrar (CO)

// True Copy //

Sub Assistant Registrar (CS)

Myr

To
The Deputy Inspector General of Police,
Ramanathapuram Range,
Ramanathapuram.

+1 CC to M/s.S.VISVALINGAM, Advocate (SR-92096[F] dated 16/10/2019)

+1 CC to M/s.SPL GP (SR-92471[F] dated 17/10/2019)

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