

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.02.2020

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

W.P No.3689 of 2020

B.Selvam

Petitioner

vs.

1. The Secretary to Government,
Municipal Administration and Water Supply Department,
Secretariat, Chennai - 600 009.
2. The Commissioner of Municipal Administration,
No.75, Santhome High Road,
Raja Annamalaipuram,
Chennai - 600 028.
3. The Commissioner,
Tiruchirappalli City Municipal Corporation,
Trichy - 620 001.

Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the 1st respondent to pass appropriate orders on the representation of the petitioner dated 20.01.2020 for sanction of General Provident Fund, Special Provident Fund and Encashment of Earned Leave / Private Affairs at the credit of the petitioner as on 31.08.2019 within a reasonable period as may be fixed by this Court.

For Petitioner : Mr.T.Ranganathan

For Respondents: Mr.P.S.Sivashanmuga Sundaram
Special Government Pleader
Mr.Kirubakaran for R3

O R D E R

This writ petition has been filed for issuance of a writ of mandamus directing the 1st respondent to pass appropriate orders on the representation made by the petitioner on 20.01.2020 wherein the petitioner has sought for the sanction of General Provident Fund, Special Provident Fund and Encashment of Earned Leave / Private affairs.

2.The case of the petitioner is that he was working as an Assistant Executive Engineer in the Municipal Corporation and his age of superannuation fell on 31.08.2019. The petitioner was placed under suspension on the eve of his retirement on 31.08.2019 by an order dated 30.08.2019 and the petitioner was not allowed to retire from service. The petitioner made representation to the 3rd respondent to settle his General Provident Fund, Special Provident Fund and Encashment of Earned Leave / Private affairs. Since the same was not considered, the present writ petition has been filed before this Court seeking for appropriate directions.

3.Heard Mr.T.Ranganathan, learned counsel appearing on behalf of the petitioner, Mr.P.S.Sivashanmuga Sundaram, learned Special Government Pleader appearing on behalf of the respondents 1 and 2 and Mr.Kirubakaran, learned counsel appearing on behalf of the 3rd respondent.

4.Taking into consideration the facts and circumstances of the case and also the limited relief that has been sought for in this writ petition and also of the fact that the issue which is the subject matter of the present writ petition is already covered by the judgment of this Court in the case of State of Tamil Nadu vs. Mahalingam reported in 2019 WLR 825 and another judgment of this Court in W.P.No.1607 of 2020, dated 27.01.2020 (R.Radhakrishnan vs. Tamil Nadu Civil Supplies Corporation, Rep. by its Managing Director, Chennai -10 and others), there shall be a direction to the respondents to consider the representations made by the petitioner on 18.12.2019 and 20.01.2020 in line with the judgments and pass appropriate orders within a period of six weeks from the date of receipt of copy of this order. The petitioner is directed to make a fresh representation to the respondents along with a copy of the representations dated 18.12.2019 and 20.01.2020 and a copy of this order.

5.This writ petition is disposed of with the above directions. No Costs.

s/d-

Assistant Registrar(CS-III)

True Copy

Sub-Assistant Registrar

ssr

1. The Secretary to Government,
Municipal Administration and Water Supply Department,
Secretariat,
Chennai - 600 009.
2. The Commissioner of Municipal Administration,
No.75, Santhome High Road,
Raja Annamalaipuram,
Chennai - 600 028.
3. The Commissioner,
Tiruchirappalli City Municipal Corporation,
Trichy - 620 001.
4. The Public Prosecutor,
High Court, Madras.

+1 CC to Mr.M. Kirubakaran, Advocate sr 13008.
+1 CC to Mr.T.Ranganathan, Advocate sr 12798.

SP (21/02/2020)

सत्यमेव जयते

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