

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.02.2020

CORAM

THE HONOURABLE Mr.JUSTICE N.ANAND VENKATESH

WP.No.3868 of 2020

Krishnasamy

.. Petitioner

- Vs -

1. The District Collector,
Coimbatore District,
Coimbatore.

2. The Revenue Divisional Officer,
Pollachi,
Coimbatore District.

3. The Tahsildar,
Kinathukadavu,
Coimbatore District.

.. Respondents

Writ Petition filed under Article 226 of the Constitution of India, praying to issue a writ of Mandamus, directing the first respondent to dispose the petitioner's representation dated 13.01.2020 within the time limit fixed by this Court.

For Petitioner : Mr.S.Gunalan

For Respondents : Mr.P.S.Sivashanmugasundaram
Special Government Pleader

O R D E R

This writ petition has been filed for the issue of writ of Mandamus directing the first respondent to dispose of the representation made by the petitioner on 13.01.2020 seeking for the disbursal of the retirement benefits.

2. The case of the petitioner is that he joined in the Revenue Department as a Village Administrative Officer in the year 1982. An FIR came to be registered against the petitioner under the Prevention of Corruption Act and the petitioner was arrested and remanded to Judicial custody. Thereafter, a final report came to be filed and the petitioner faced Trial before the learned Chief Judicial Magistrate, Coimbatore in Spl.C.C.No.2 of 2003. The Trial Court, by a

judgment dated 17.10.2007, convicted and sentenced the petitioner.

3. The petitioner aggrieved by the judgment, filed an appeal before this Court in Crl.A.No.1002 of 2007. This Court, by a judgment dated 25.04.2018, allowed the appeal and set aside the conviction and sentence imposed by the Trial Court.

4. The petitioner attained superannuation and due to the conviction and sentence that was imposed by the Trial Court, his terminal benefits were not settled to the petitioner. The petitioner was making repeated representations to the respondents to settle all his terminal benefits and there was no response. Left with no other option, the present writ petition has been filed before this Court seeking for appropriate directions.

5. Heard Mr.S.Gunalan, learned counsel appearing on behalf of the petitioner and Mr.P.S.Sivashanmugasundaram, learned Special Government Pleader appearing on behalf of the respondents.

6. Taking into consideration the facts and circumstances of the case and the limited relief that has been sought for in this writ petition, there shall be a direction to the petitioner to give a fresh representation to all the respondents and on receipt of the representation, the respondents shall consider the same on its own merits and in accordance with law and pass appropriate orders within a period of eight (8) weeks from the date of receipt of the representation. The petitioner shall also annex a copy of this order along with the representation.

7. This writ petition is disposed of with the above directions. No costs.

सत्यमेव जयते

Sd/-

Assistant Registrar (CS-I)

//True Copy//

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Sub Assistant Registrar

KMI

To

1. The District Collector,
Coimbatore District,
Coimbatore.

2. The Revenue Divisional Officer,
Pollachi,
Coimbatore District.

3. The Tahsildar,
Kinathukadavu,
Coimbatore District.

+1cc to Mr.S.Gunalan, Advocate, S.R.No. 13492
+1cc to the Government Pleader, S.R.No. 14680

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