



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 06.10.2020

CORAM:

THE HONOURABLE **MR.JUSTICE S.M.SUBRAMANIAM**

W.P. (MD) No.13415 of 2013

and

M.P (MD) .No.1 of 2013

S.Bourudeen

... Petitioner

Vs.

1.State of Tamil Nadu

Rep by its Principal Secretary to Government,
Fort St.George,
Chennai.

2.The District Collector,
Collectorate,
Dindigul District.

3.The Revenue Divisional Officer,
Dindigul District,
Dindigul.

4.The Tahsildar,
Nilakottai Taluk,
Dindigul District.

5.The District Treasury Officer,
Dindigul,
Dindigul District.

6.The Assistant Treasury Officer,
Sub-Treasury,
Dindigul.

... Respondents

PRAYER: Writ Petition under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents No.3 to 6 to provide 90% of the General Provident Fund due to the petitioner and other benefits to the petitioner within the time stipulated by this Court.

For Petitioner : Mr.T.Lajapathi Roy

For Respondents : Mr.J.Gunaseelan Muthiah
Additional Government Pleader



ORDER

The relief sought for in the present writ petition is for a direction to direct the respondents 3 to 6 to provide 90% of the General Provident Fund due to the petitioner and other benefits to the petitioner.

2.The petitioner was working as Village Administrative Officer and retired from service. He was arrested in a criminal case registered in Crime No.4 of 2007 by the Department of Vigilance and Anti Corruption. He was placed under suspension and the Departmental disciplinary proceedings were initiated. However, the present writ petition is filed seeking a direction for the disbursement of the General Provident Fund.

3.As far as the relief of General Provident Fund is concerned, it is to be granted in accordance with the Rules in force. Even as per the affidavit filed by the writ petitioner, he was facing a criminal case as well as the departmental disciplinary proceedings and he had already reached the age of superannuation. Under these circumstances, the petitioner is at liberty to submit a representation to the third respondent and in the event of submitting any such representation, the third respondent is directed to consider strictly in accordance with the Rules and on merits, as expeditiously as possible.

4.With the above direction, this Writ Petition stands disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(P & A)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

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Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.



To

- 1.The Principal Secretary to Government,
Fort St.George,
Chennai.
- 2.The District Collector,
Collectorate,
Dindigul District.
- 3.The Revenue Divisional Officer,
Dindigul District,
Dindigul.
- 4.The Tahsildar,
Nilakottai Taluk,
Dindigul District.
- 5.The District Treasury Officer,
Dindigul,
Dindigul District.
- 6.The Assistant Treasury Officer,
Sub-Treasury,
Dindigul.

+1 CC to M/s.T. LAJAPATHI ROY, Advocate (SR-19278[F] dated
07/10/2020)

+1 CC to M/s.GP (SR-19292[F] dated 07/10/2020)

W.P. (MD) No.13415 of 2013
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SCR(CO)
TR(14.10.2020) 3P 9C