



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 26.10.2021

CORAM:

THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR

W.P. (MD) No.18043 of 2020

and

W.M.P. (MD) No.11154 of 2021

WEB COPY

L.S.Rajendran

... Petitioner

-vs-

1.The District Collector
Virudhunagar District
Virudhunagar

2.The Revenue Divisional Officer
Aruppukottai, Virudhunagar District

3.The Thasildar
Thiruchuli Taluk
Virudhunagar District

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a writ of mandamus directing the respondents to release the petitioner's earned and unearned leave salaries, special provident fund and other monetary benefits etc., entitled by the petitioner based on the representation, dated 10.11.2020.

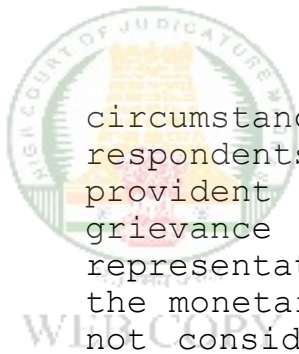
For Petitioner : Mr.N.Anandakumar

For Respondents : Mr.A.K.Manikkam, Government Counsel

O R D E R

The prayer in this writ petition is for issuance of a writ of mandamus directing the respondents to release the petitioner's earned and unearned leave salaries, special provident fund and other monetary benefits etc., based on his representation, dated 10.11.2020.

2. According to the petitioner, he was working as Village Administrative Officer in Athikulam Village and in the year 2010, he was in-charge of Panaikudi Village in Thiruchuli Taluk also. While so, flood relief fund was distributed to the agriculturists through the Secretary of Panaikudi Village Primary Agricultural Co-operative Society. Further, according to the petitioner, he had no direct nexus with the agricultural beneficiaries, however, the respondents initiated disciplinary proceedings against him alleging misappropriation of flood relief fund, framed charges and conducted enquiry in the year 2015-2016, but so far no orders have been passed. Further, according to the petitioner, his actual date of superannuation was on 30.06.2013 and he was not allowed to retire from service and he was suspended on 28.06.2013. In such



circumstances, he made a representation, dated 10.11.2020, to the respondents seeking earned and unearned leave salaries, special provident fund and other monetary benefits, gratuity etc. The grievance of the petitioner is that even though he made a representation to the respondents as early as on 10.11.2020 seeking the monetary benefits as stated above, till date the respondents has not considered his representation. Therefore, the petitioner has filed this writ petition seeking direction to the respondent to dispose of his representation at the earliest.

3. The learned Government Counsel appearing for the respondents, on instructions, would submit that the disciplinary proceedings pending against the petitioner will be concluded at the earliest, if there is no other legal impediment.

4. In view of the above submission and taking into consideration the facts and circumstances of the case, this Court passes the following orders:

- i. The respondents are directed to consider the petitioner's representation dated 10.11.2020 and pass orders on merits and in accordance with law as expeditiously as possible, preferably, within a period of four weeks from the date of receipt of a copy of this order.
- ii. It is needless to state that the petitioner shall furnish a copy of the representation along with a copy of this order to the respondents forthwith.
- iii. The disciplinary proceedings pending against the petitioner shall be concluded by the respondents as expeditiously as possible, preferably within a period of twelve weeks from the date of receipt of a copy of this order.
- iv. The petitioner shall also co-operate with the enquiry proceedings.

5. With the above directions, the writ petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (CrI.Side)

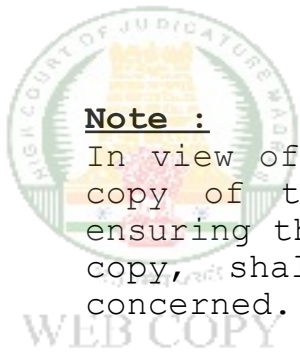
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Sub Assistant Registrar(CS)

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<https://hcservices.ecourts.gov.in/hcservices/>



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 District Collector,
Virudhunagar District,
Virudhunagar.
- 2.The Revenue Divisional Officer,
Aruppukottai,
Virudhunagar District.
- 3.The Thasildar,
Thiruchuli Taluk,
Virudhunagar District.

+1 CC to M/s.N.ANANDAKUMAR, Advocate (SR-33079[F] dated 28/10/2021)

+1 CC to M/s.SPL.GP (SR-33014[F] dated 28/10/2021)

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