



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:25.02.2021

CORAM:

THE HONOURABLE **MR.JUSTICE M.DHANDAPANI**

W.P. (MD)No.14422 of 2016

A.Nallusamy

... Petitioner

Vs.

1.The District Collector,
Dindigul District,
Dindigul.

2.The District Revenue Officer,
O/o.The District Revenue Officer,
Dindigul, Dindigul District.

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

4.The Tahsildar,
Dindigul West Taluk,
Dindigul District.

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents 1 to 3 to provide the Gratuity Funds, Provident funds and all other consequential terminal benefits to the petitioner.

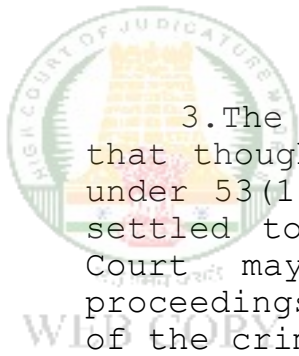
For Petitioner : Mr.T.Lajapathiroy

For Respondents : Mr.C.M.Marichelliah Prabhu
Additional Government Pleader

O R D E R

This writ petition is filed by the petitioner to direct the respondents 1 to 3 to provide the Gratuity Funds, Provident funds and all other consequential terminal benefits to the petitioner.

2.The case of the petitioner is that he was worked as Village Administrative Officer from 1984. While so, a criminal case was registered against the petitioner that as if the petitioner demanded bribe for change of patta. Thereafter, the petitioner was placed under suspension on the ground that the petitioner has involved the above said crime. Challenging the said suspension order, the petitioner has filed a writ petition in W.P(MD)No.11264 of 2009 and filed another writ petition in W.P(MD)No.3081 of 2009 to consider the petitioner's representation and review the order of suspension. The said writ petition was disposed of and the petitioner was reinstated into service as VAO on 20.12.2009 and thereafter, he retired from service on 28.04.2012. However, the pensionary benefits was not settled in favour of the petitioner. Hence, the present wit petition is filed.



3.The learned counsel appearing for the petitioner submitted that though the petitioner's service was retained on the settlement under 53(1)(c) of Fundamental Rules, the terminal benefits were not settled to him. Further, the learned counsel submitted that this Court may issue a direction to conclude the disciplinary proceedings, if any pending against the petitioner, after disposal of the criminal case registered against the petitioner.

4.Considering the submission made by the learned counsel for the petitioner, this Court directs the respondents 1 to 3 to settle the terminal benefits, after concluding the disciplinary proceedings and disposal of the criminal case, if he is otherwise eligible.

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

Sd/-

Assistant Registrar (CSIII)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

To

- 1.The District Collector,
Dindigul District,
Dindigul.
- 2.The District Revenue Officer,
O/o.The District Revenue Officer,
Dindigul, Dindigul District.
- 3.The Revenue Divisional Officer,
Dindigul, Dindigul District.
- 4.The Tahsildar,
Dindigul West Taluk,
Dindigul District.

+1 CC to M/s.SPL GP (SR-7486[F] dated 26/02/2021)

+1 CC to M/s.T.LAJAPATHI ROY, Advocate (SR-7454[F] dated 26/02/2021)

W.P. (MD)No.14422 of 2016
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NA(CO)
KB(15.03.2021) 2P 7C