



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26.04.2022

CORAM:

THE HON'BLE MR. JUSTICE D.KRISHNAKUMAR

W.P.No.10606 of 2022

K.Sivamani

...Petitioner

vs.

1.The District Educational Officer,
Dharmapuri - 636 705.

2.The Block Educational Officer I,
Pennagaram, Dharmapuri.

...Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, directing the second respondent to dispose of the representation of the petitioner dated 18.02.2022.

For Petitioner : Mr.S.Vijayakumar

For Respondents: Mr.V.Manoharan
Additional Government Pleader

O R D E R

By consent of both parties, this Writ Petition is taken up for final disposal at the admission stage itself.

2. The case of the petitioner in brief:

The petitioner herein was working as Office Assistant under the 2nd respondent office and he was reached the age of superannuation on 30.09.2021. The 2nd respondent forwarded the pension documents to the Accountant General, Chennai for processing the petitioner's retirement benefits namely Pension, Death cum Retirement benefits, Gratuity and Commutation value pension. Subsequently, the 2nd respondent issued proceedings dated 28.09.2021 alleging that certain irregularities from his service and consequently disciplinary proceedings is contemplated for such alleged irregularities. Therefore, the petitioner submitted his explanation in person enclosing the relevant documents to prove that he is innocent. Aggrieved by the inordinate delay in disbursing the retirement benefits, the



petitioner filed a writ petition before this Court in W.P.No.23964 of 2021 and this Court direct the second respondent to settle the retirement benefits. Accordingly, the retirement benefits was settled to the petitioner. The petitioner is entitled for Special Provident Fund and Earned Leave of 240 and un-earned leave for 3 months and hence, he submitted a representation on 18.02.2022 to the second respondent for the passing appropriate orders. Despite the same, no order has been passed by the second respondent. Hence, the petitioner issued a notice through his counsel on 05.04.2022 to settle the special provident fund and other benefits. But, there was no response. Hence, the petitioner filed this instant writ petition before this Court.

3. Mr.V.Manoharan, learned Additional Government Pleader takes notice for the respondents and submitted that if any such representation was received by the respondents, the same will be considered on merits and in accordance with law.

4. Inview of the above submissions made by the parties and also considering the limited scope of prayer, without expressing any opinion on merits, this Court is inclined to direct the second respondent to consider the petitioner's representation dated 18.02.2022 and to pass orders on its own merits and in accordance with law, as expeditiously as possible, within a period of twelve weeks from the date of receipt of a copy of this order. The petitioner shall make his representation along with the copy of this order.

5. With the above direction, the writ petition stands disposed of. No costs.

Sd/-

Assistant Registrar(CS-II)

//True copy//

Sub Assistant Registrar

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To

1.The District Educational Officer,
Dharmapuri - 636 705.

2.The Block Educational Officer I,
Pennagaram, Dharmapuri.

+lcc to Mr.S.Vijayakumar, Advocate SR.No.28548
+lcc to Government Pleader SR.No.29144

W.P.No.10606 of 2022

PA(CO)
GMY(27/05/2022)