



W.P.No.41307 of 2016

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED : 07.11.2022

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THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No.41307 of 2016

T.K.Venkatasubramanian

...Petitioner

Vs.

The District Revenue Officer,
Dharmapuri.

..Respondent

Prayer : Writ Petition filed Under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, to call for the records relating to Na.Ka.10731/2013/A3 dated 10.11.2016 on the file of the respondent and quash the same and further direct the respondent to disburse the amounts due to him from the Government of Tamil Nadu under the heads Salary Arrears, Leave Arrears, Gratuity, General Provident Fund, Special Provident Fund and Unearned Leave on private affairs.

For Petitioner : Mr.S.Subramanian

For Respondent : No appearance



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ORDER

The order dated 10.11.2016, rejecting the claim of the writ petitioner to settle the terminal and pensionary benefits is under challenge in the present writ petition.

2. The petitioner was working as Assistant in the Revenue Divisional Office at Dharmapuri. A Criminal case was registered against the writ petitioner in Crime No.2 of 2009 under Section 7 of the Prevention of Corruption Act, 1988.

3. It is not in dispute that the petitioner was convicted in the said Criminal Case. Consequently, he was dismissed from service.

4. The learned counsel for the petitioner states that the eligible benefits are yet to be settled.

5. As per the Rules, a dismissed employee is not entitled for terminal and pensionary benefits. However, certain benefits/contribution if any to be



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paid, the said amount is to be settled in accordance with the Rules. Thus, the respondent is bound to verify the eligibility of the petitioner and if he is otherwise eligible in accordance with the rules regarding certain benefits, then the said benefits are to be settled by following the procedures.

6. With these observations, the writ petition stands disposed of. No costs.

07.11.2022

Index : Yes
Speaking order: Yes
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To

The District Revenue Officer,
Dharmapuri.



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S.M.SUBRAMANIAM, J.

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