



W.P.No.29376 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 07.11.2022

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THE HONOURABLE MR.JUSTICE ABDUL QUDDHOSE

W.P.No.29376 of 2022

J. Selvaraj

... Petitioner

Vs.

1.The Collector,
Villupuram District,
Villupuram – 605 602.

2.The Revenue Divisional Officer,
Villupuram District.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of Writ of Mandamus, to direct the respondents herein to allow the petitioner to retire from service consequent to his acquittal in the criminal case in Special Case No.5/2013 dated 2/11/2019 on the file of the Special Court for Prevention of Corruption Act Cases, Villupuram and to sanction and disburse all his retirement benefits based on the petitioner's representation dated 08/02/2021, within a time frame as deem fit and proper by this Court.

For Petitioner : Mr.G. Bala

For Respondents : Mr.N. Naveen Kumar,
Government Advocate



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ORDER

This Writ petition has been filed for a mandamus seeking for a direction to the respondents to consider the petitioner's representation dated 08.02.2021, requesting the respondents to allow him to retire from service consequent to his acquittal in the criminal case in Special Case No.5 of 2013 dated 02.11.2019 on the file of the Special Court for Prevention of Corruption Act Cases, Villupuram and to sanction and disburse all his retirement benefits.

2. Heard the learned counsel for the petitioner. Mr.N. Naveen Kumar, learned Government Advocate, accepts notice on behalf of the respondents. By consent of both the parties, this Writ Petition is taken up for final disposal at the admission stage itself.

3. The petitioner claims that he was suspended from service on 08.08.2008 based on the criminal case pending against him under the Prevention of Corruption Act. According to the petitioner, the criminal case in Special Case No.5 of 2013 dated 02.11.2019 on the file of the Special Court for Prevention of Corruption Act Cases, Villupuram, ended in acquittal. However, according to him, despite the said acquittal, he has not been allowed to retire from service though his date of superannuation was 30.10.2011. The



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petitioner has given a representation on 08.02.2021, requesting the respondents to allow him to retire from service in view of the acquittal order. Since the representation has not been considered till date, he has filed this writ petition.

4. The petitioner has filed the documents/orders in support of his claim that he is entitled for retirement from service pursuant to the acquittal order dated 02.11.2019 passed by the Special Court for Prevention of Corruption Act Cases, Villupuram, in Special Case No.5 of 2013. It is for the respondents to consider the same on merits and in accordance with law. The petitioner has also given a representation for the aforementioned purpose.

5. No prejudice will be caused to the respondents if the petitioner's representation is considered on merits and in accordance with law, within a time frame to be fixed by this Court.

6. For the foregoing reasons, this Court directs the respondents to pass final orders on merits and in accordance with law, on the petitioner's representation dated 08.02.2021, requesting the respondents to allow him to



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retire from service in view of the acquittal order in Special Case No.5 of 2013 dated 02.11.2019 and to sanction and disburse all his retirement benefits, within a period of twelve (12) weeks from the date of receipt of a copy of this order.

7. With the aforesaid directions, this Writ Petition is disposed of. No costs.

07.11.2022

Speaking/Non-speaking Order

Index: Yes/No

Internet: Yes/No

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To

1.The Collector,
Villupuram District,
Villupuram – 605 602.

2.The Revenue Divisional Officer,
Villupuram District.

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