



WEB COPY



W.P.No.29052 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03.11.2022

CORAM:

THE HON'BLE MR. JUSTICE ABDUL QUDDHOSE

W.P.No.29052 of 2022

R.Muthusamy

... Petitioner

Versus

1. The State of Tamil Nadu

Rep by its Principal Secretary to Government,
Revenue Department,
Secretariat, Chennai-600 009.

2. The Director of Survey and Settlement,

“Survey House”, Chepauk, Chennai-600005

3. The Assistant Director of Survey and Land Records,

Coimbatore-641018.

... Respondents

Prayer:-Petition filed under Article 226 of the Constitution of India praying this Court to issue a writ of Mandamus directing the respondents to disburse the terminal benefits such as Special Provident Fund, Leave Encashment benefits, Gratuity, Pension etc., along with admissible interest thereon, within the stipulated time limit as prescribed by this Court.

For Petitioner : Mr.R.Baskaradoss

For Respondents : Mr.N.Naveen Kumar
Government Advocate



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ORDER

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This writ petition has been filed for a Mandamus seeking for a direction to the respondents to disburse the terminal benefits such as Special Provident Fund, Leave Encashment benefits, Gratuity, Pension etc., along with admissible interest.

2. Heard R.Baskaradoss, learned counsel for the petitioner and Mr.N.Naveen Kumar, learned Government Advocate accepts notice on behalf of the respondents. By consent of both the parties, the main writ petition has been taken up for final disposal.

3. The petitioner contends that earlier disciplinary proceedings were initiated against him on the ground that criminal proceedings were pending against him. According to the petitioner, the criminal case ended in acquittal and based on the acquittal order, the petitioner was reinstated into service. Thereafter, according to the petitioner, on the same set of charges, fresh disciplinary proceedings were initiated against him. The petitioner had challenged the said proceedings before this Court and according to the petitioner, the fresh disciplinary proceedings initiated against him were ordered to be quashed by the orders of this Court.



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4. The petitioner also contends that he was allowed to retire without prejudice to the respondent. The petitioner now seeks for disbursement of his terminal benefits.

5. The petitioner has given a representation on 26.09.2022, seeking for payment of his terminal benefits based on the aforesaid circumstances. Since the representation has not been considered till date, he has filed this writ petition.

6. No prejudice would 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.

7. For the foregoing reasons, this Court directs the first respondent to pass final orders on merits and in accordance with law on the petitioner's representation dated 26.09.2022, seeking for payment of his terminal benefits within a period of twelve weeks from the date of receipt of a copy of this order.

With the aforesaid direction, the writ petition is disposed of. No costs.

03.11.2022

sr

Index: Yes/No

Speaking Order/Non-Speaking Order



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ABDUL QUDDHOSE,J.

sr

To

1. The Principal Secretary to Government,
State of Tamil Nadu,
Revenue Department,
Secretariat, Chennai-600 009.
2. The Director of Survey and Settlement,
“Survey House”, Chepauk, Chennai-600005
3. The Assistant Director of Survey and Land Records,
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