



W.P.(MD)No.28745 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 22.12.2022

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.(MD)No.28745 of 2022

R.Murugan

... Petitioner

Vs.

1. The Additional Chief Secretary / Commissioner of
Revenue Administration,
Revenue Administration and Disaster Management Department,
Ezhilagam,
Chepauk,
Chennai – 600 005.
2. The Principal Accountant General (A & E).
361, Anna Saalai,
Teynampet,
Chennai – 18.
3. The District Collector,
Ramanathapuram District.
4. The Assistant Collector,
Maninagar,
Paramakudi,
Ramanathapuram District.

... Respondents



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PRAYER : Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Mandamus, directing the respondents to disburse the retirement benefits including encashment of earned leave, earned leave on private affairs, Death cum Retirement Gratuity, Special Provident Fund and General Provident Fund to the petitioner along with interest for belated payment.

For Petitioner : Mr. T.Lajapathi Roy
For Respondents : Mr. S.P.Maharajan,
Special Government Pleader.

ORDER

This writ petition has been filed to direct the respondents to disburse the retirement benefits including encashment of earned leave, earned leave on private affairs, Death cum Retirement Gratuity, Special Provident Fund and General Provident Fund to the petitioner along with interest for belated payment



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2. The learned counsel appearing for the petitioner submitted that the petitioner was appointed as Junior Assistant in the year 1989 and promoted as Assistant and thereafter, as Deputy Tahsildar and further promoted as Tahsildar and thereafter, promoted as Deputy Collector in the year 2018. After rendering service for more than 33 years of unblemished service, due to family circumstances, the petitioner applied for voluntary retirement in the month of May 2022 and subsequently, the petitioner permitted to go on voluntary retirement as per FR 56(3) of Fundamental Rules with effect from 14.10.2022, vide G.O.(2D)No.226, Revenue and Disaster Management Department, dated 14.10.2022. Though the petitioner allowed to retire on 14.10.2022, however, till date terminal benefits are not disbursed and hence, the petitioner made a representation, dated 14.12.2022 for disbursing the retirement benefits and the same was not considered and hence, the present writ petition is filed.

3. The learned counsel appearing for the petitioner further submitted that this Court may issue a direction to the respondents to



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consider the petitioner's representation, dated 14.12.2022 and pass appropriate orders within the time limit as prescribed by this Court.

4. Considering the limited request made by the learned counsel for the petitioner, this Court directs the respondents to consider the petitioner's representation, dated 14.12.2022 and pass appropriate orders on merits and in accordance with law, in respect of eligible terminal benefits, within a period of twelve weeks from the date of receipt of a copy of this order.

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

22.12.2022

Index : Yes / No

Speaking Order : Yes / No

RM



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M.DHANDAPANI,J.

RM

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