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W.P.No.26365 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.09.2023

CORAM :

THE HONOURABLE MR. JUSTICE N. SATHISH KUMAR

W.P.No.26365 of 2023

K.Arumugam

... Petitioner

Vs.

The District Collector,
Erode District,
Erode.

... Respondent

Prayer : Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus to direct the respondent to consider the petitioner's representation, dated 11.07.2023, and pass appropriate orders permitting the petitioner to retire from service and also to disburse to the petitioner all his retirement benefits.

For Petitioner : M/s.T.Hemalatha

For Respondent : Mr.P.Baladhandayutham
Special Government Pleader

ORDER

This writ petition has been filed to direct the respondent to consider the petitioner's representation, dated 11.07.2023, and pass appropriate orders permitting the petitioner to retire from service and also



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to disburse to the petitioner all his retirement benefits.

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2.The petitioner states that he was working as Block Development Officer at the Office of the Assistant Director of Rural Development (Audit), Erode District. It is the case of the petitioner that, at the fag end of service, he was placed under suspension by proceedings dated 28.06.2023 on the basis of a disciplinary proceedings pending against the petitioner and thereby, he was not permitted to retire from service. It is the grievance of the petitioner that he is not aware of any disciplinary proceedings pending against him and no show cause notice has been served on him so far. Therefore, the petitioner submitted his representation, dated 11.07.2023, to the respondent to permit him to retire from service and also to disburse all his terminal benefits. Since the same was not considered, the present writ petition has been filed.

3.Heard the learned counsel for the petitioner and Mr.P.Baladhandayutham, learned Special Government Pleader, who takes notice for the respondent.



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4.A perusal of the suspension order, dated 28.06.2023, itself clearly indicates that the petitioner has been placed under suspension on the ground that an enquiry into the grave charges by the appropriate Investigating Authority against the petitioner, is pending. In such view of the matter, the petitioner's request to permit him to retire from service or to release all his terminal benefits, cannot be granted at this stage. However, let the respondent expedite the disciplinary proceedings pending against the petitioner, if any, and pass final orders as expeditiously as possible.

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

08.09.2023

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Internet : Yes

Index : Yes / No

Neutral citation : Yes / No

Speaking order / Nonspeaking order

To

The District Collector,
Erode District,
Erode.

N. SATHISH KUMAR, J.



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