



W.P.No.1855 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03.01.2024

CORAM:

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

W.P.No.1855 of 2022

M.P.Angappan

...Petitioner

-Vs-

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

2. The Additional Collector,  
Villupuram District,  
Villupuram – 605 602.

... Respondents

**Prayer:** Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondents herein to disburse the General Provident Fund, Special Provident Fund, DCRG and encashment of earned leave amount due to the petitioner based on his representation dated 22.04.2021, within a time-frame as deem fit and proper by this Court.

For Petitioner : Mr.G.Bala

For Respondents : Mr.S.Rajesh  
Government Advocate



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## **ORDER**

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The writ petition has been filed to direct the respondents to disburse the General Provident Fund, Special Provident Fund, DCRG and encashment of earned leave amount due to the petitioner based on his representation dated 22.04.2021, within a time-frame.

2. The petitioner had joined in the Government service as Junior Assistant on 25.09.1995 and subsequently, he was promoted as Assistant in the year 2003. While he was working in Taluk Office, Vanur, on the complaint, FIR has been registered as against the petitioner in Crime No.3 of 2004 under Section 7 of the Prevention of Corruption Act, on the file of the Vigilance and Anti-corruption Unit, Cuddalore. In pursuant to the registration of FIR, the petitioner was arrested and remanded to judicial custody. On completion of investigation, the Vigilance and Anti-corruption Unit filed final report and the same has been taken cognizance in S.C.No.29 of 2014 on the file of the learned Special Judge, Special Court for the cases under the PC Act, Villupuram. However, the trial Court found that the petitioner was not guilty and acquitted him. Aggrieved by the same, the Vigilance and Anti Corruption



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Unit filed appeal in CrI.A.No.406 of 2016 before this Court and the same was also dismissed by this Court by an order dated 01.12.2023.

3. In the mean time, the petitioner had attained the age of superannuation on 31.03.2020. Though, he was allowed to retire from service, he was not sanctioned and paid any of his pensionary benefits. Further, the second respondent passed order dated 11.01.2021, stating that the petitioner is entitled for 100% of DCRG and sanctioned provisional pension. However, the petitioner was not sanctioned any of his retirement benefits such as DCRG, GPF, SPF, encashment of leave, etc.

4. Heard the learned counsel appearing on either side and perused the materials placed before this Court.

5. On perusal of the counter filed by the respondent revealed that as per the proceedings of the Divisional Excise Officer, Tindivanam, dated 18.02.2022, the other benefits of the petitioner viz., Earned leave and Unearned leave on private affairs were sanctioned in favour of the petitioner on 03.03.2022. By another proceedings dated 11.01.2021, the



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Additional Collector (Revenue) Villupuram District, sanctioned provisional pension of Rs.19,886/- to the petitioner, in view of the pendency of the Criminal Appeal in Crl.A.No.406 of 2016 before this Court.

6. Now, the appeal filed by the Vigilance and Anti Corruption Unit in Crl.A.No.406 of 2016 was also dismissed by this Court by an order dated 01.12.2023. Therefore, the petitioner is entitled for all benefits due to his retirement. Hence, the respondents are directed to disburse the General Provident Fund, Special Provident Fund, DCRG and encashment of earned leave amount due to the petitioner, within a period of twelve weeks from the date of order of receipt of a copy of this Order.

7. With the above directions, the Writ Petition stands disposed of. There shall be no orders as to costs.

03.01.2024

Internet: Yes  
Index : Yes/No  
Speaking/Non Speaking order  
rts



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**G.K.ILANTHIRAIYAN. J,**

rts

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