



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.10.2024

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

W.P.No.32035 of 2024

S.Shameem

.. Petitioner

Vs.

The District Health Officer,
Attur.

.. Respondent

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the respondent to disburse monetary benefits such as a encashment of earned leave and unearned leave on private affairs, General Provident Fund, Special Provident Fund, Annual periodical incremental arrears to the petitioner in the light of the order passed by Madurai Bench of this Court in W.P.(MD).No.198 of 2021 dated 03.03.2021.

For Petitioner : Mr.S.Mani
For Respondent : Mr.M.Bindran
Additional Government Pleader

ORDER

This writ petition has been filed for the issue of writ of mandamus directing the respondent to disburse the monetary benefits of the petitioner such as Encashment of Earned Leave and Unearned Leave on



Private Affairs, General Provident Fund, Special Provident Fund, etc.,
based on the representation made by the petitioner on 05.09.2024.

2.Heard the learned counsel for the petitioner and the learned
Additional Government Pleader for the respondent.

3.The petitioner was appointed as a Village Health Nurse in the
Health Department in the year 1986. In the year 2009, an FIR came to be
registered by the Vigilance and Anti Corruption Police and the petitioner
was arrayed as an accused. The petitioner was placed under suspension.
Later, the petitioner was reinstated into service in the year 2013.

4.The petitioner reached age of superannuation on 31.05.2024.
However, citing the criminal case, the petitioner was not allowed to
retire from service by the respondent through proceedings dated
30.05.2024.

5.The petitioner made a representation to the respondent to
disburse the monetary benefits such as General Provident Fund, Special
Provident Fund, Encashment of Earned Leave and Unearned Leave on
Private Affairs, etc. Since, the same did not evoke any response, the



present writ petition has been filed before this Court seeking for appropriate directions.

6.Taking into consideration the facts and circumstances of the case and also taking into consideration the judgment of the Division Bench of this Court in ***Secretary to Government, Revenue Departmental, Secretariat, Chennai – 600 009 Vs. K.Palaniyandi*** reported in **2019 (5) CTC 19** and also the Government Order already been passed in G.O.Ms.No.100, dated 07.09.2022, there shall be a direction to the respondent to deal with the representation made by the petitioner on 05.09.2024 in line with the above judgment and the Government Order and pass necessary orders within a period of six (6) weeks from the date of receipt of a copy of this order.

7.In the result, this Writ Petition is disposed of with the above directions. No costs.

28.10.2024

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Index : Yes / No
Internet : Yes / No
Neutral Citation : Yes / No



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N.ANAND VENKATESH, J.

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To

The District Health Officer,
Attur.

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28.10.2024