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W.P.No.2306 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.06.2025

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THE HONOURABLE Mr.JUSTICE C.KUMARAPPAN

W.P.No.2306 of 2025

S.Ponnuvel

... Petitioner

Vs.

1. The Additional Secretary to the Government of Tamil Nadu,
Department of Rural Development & Panchayat Raj,
Fort St.George,
Secretariat,
Chennai – 600009.

2. The Director,
Directorate of Rural Development & Panchayat Raj,
Panagal Building, Chennai – 600 015.

3. The Commissioner,
Directorate of Rural Development & Panchayat Raj,
Panagal Building, Chennai – 600 015.

4. The District Collector,
Salem District.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, to direct the respondents to disburse the terminal benefits as per pension rule and compensation under Section 432 of Cr.P.C by disposing the petitioner's application dated 27.06.2011



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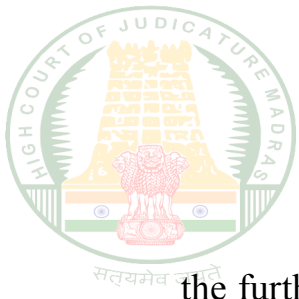
consequently direct the second respondent to made decision on the letter forwarded by the fourth respondent to the second respondent vide Na.Ka.No.12754/2022/Ni4 dated 26.03.2024.

For Petitioner : Mr.S.Esakkimuthu
For Respondents : Mr.N.Naveen Kumar,
Government Advocate (for R1 to R3)

ORDER

The instant writ petition has been filed with a prayer for issuing a mandamus to direct the respondents to disburse the terminal benefits as per the Pension Rules and compensation under Section 432 of Cr.P.C. by disposing of the petitioner's application dated 27.06.2011, and consequently, to direct the second respondent to make a decision on the letter forwarded by the fourth respondent to the second respondent vide Na.Ka.No.12754/2022/Ni4 dated 26.03.2024.

2. The learned counsel for the petitioner would submit that he is entitled to terminal benefits as per the Pension Rules. However, there is a delay on the part of the respondents in paying gratuity and provident fund. In this connection, the petitioner has sent a representation dated 27.06.2011, and the said representation is yet to be considered by the respondents. It is



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the further contention of the petitioner that an application under Section 432 of Cr.P.C. for remission of sentence is pending with the Government. However, it is the contention of the learned counsel for the petitioner that he is entitled to gratuity and provident fund despite the imprisonment.

3. The learned Government Pleader appearing for the first to third respondents would strongly object to the contention of the learned counsel for the petitioner and would submit that he has already been convicted under the Prevention of Corruption Act and sentenced to imprisonment for a period of one year. He would further submit that if the petitioner submits a fresh representation, they would consider the same within a reasonable time.

4. Heard the learned counsel for the petitioner and the learned Government Advocate appearing for the first to third respondents and perused the materials available on record.

5. In such view of the above submission, without going to the merits of this Writ Petition, this Court deems it appropriate to direct the petitioner to submit a fresh representation claiming gratuity and provident fund, within



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a period of two weeks from the date of receipt of a copy of this order. On receipt of such representation, the respondents are directed to consider and pass orders on its own merits and in accordance with law, within a period of four weeks thereafter.

6. With the above observations, this Writ Petition is disposed of. No costs.

18.06.2025

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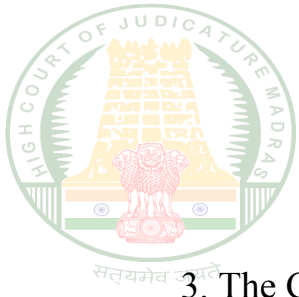
Index : Yes/No

Speaking order /Non Speaking Order

Neutral Citation : Yes/No

To

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C.KUMARAPPAN, J.

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