



WEB COPY

WP No. 15624 of 2024



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21-03-2025

CORAM

THE HONOURABLE MR JUSTICE C.V. KARTHIKEYAN

WP No. 15624 of 2024

Tr. M.Puttanniah,
S/o. Muniyappa.

Petitioner

Vs

1. The Collector (Development Section),
District Collectorate,
Krishnagiri District, Krishnagiri.

2. The Block Development Officer,
Village Panchayat, Panchayat Union,
Thally, Krishnagiri District.

3. The Deputy Superintendent of
Police, Vigilance And Anti Corruption,
Krishnagiri.

(R3- Suo Motu impleaded as per Order
Dated 13.06.2024 in
WP.No.15624/2024)

Respondent(s)

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondents to consider the representation of the petitioner dated 02.05.2024 and pass orders sanctioning the retirement benefits like General Provident Fund, Special Provident Fund, Encashment of Earned Leave and Encashment of Unearned Leave on private affairs to the petitioner.



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For Petitioner(s): Mr.Duraiswamy, Senior Counsel
for Mr.V.Elangovan
K.A.Prabaharan
K.Thanigaivel

For Respondent(s): Mr.M.Shahjahan, Special
Government Pleader.

ORDER

The writ petition has been filed in the nature of a mandamus seeking a direction against the respondents to consider the representation of the petitioner, dated 02.05.2024 and pass orders sanctioning retirement benefits, like General Provident Fund, Special Provident Fund, Encashment of Earned Leave and Encashment of Unearned Leave on private affairs.

2.In the affidavit filed in support of the writ petition, it had been stated that the petitioner was working as Rural Welfare Officer, Grade-I at Thally, Krishnagiri District, when he was arrested by the Vigilance and Anti Corruption Department of Krishnagiri, on 23.06.2023, on the ground of demand and acceptance of bribe amount of Rs.30,000/-. Disciplinary proceedings were also initiated against the petitioner. Thereafter, FIR was registered against the



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petitioner in crime No.3/AC/2023 under Section 7(a) of the Prevention of Corruption Act, 1988. Final report had also been filed and the matter is now pending before the Special Court/Chief Judicial Magistrate Court, at Krishnagiri in Spl.C.C.No. 1 of 2024. The petitioner by this writ petition seeks examination of the representation given to pay the General Provident Fund, Special Provident Fund, Encashment of Earned Leave and Encashment of Unearned Leave on private affairs.

3.The learned counsel for the petitioner placed reliance on the directions issued in a similar circumstances by a learned Single Judge of this Court in W.P.No.2527 of 2019, vide order dated 28.06.2022, wherein, when disciplinary proceedings and criminal cases were pending trial against the petitioner therein the Court had directed as follows:

11.In that view of the matter, the writ petition is disposed of with the following order.

“That there shall be a direction to the respondents to consider the representation dated 11.01.2019 and pass orders sanctioning the retirement benefits like General Provident Fund, Special



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Provident Fund, Encashment of Earned Leave and Encashment of Unearned Leave on Private Affairs to the petitioner, except the Gratuity and Pensionary benefits, within a period of eight weeks from the date of receipt of a copy of this order.”

4.The same order would also enure to the petitioner herein. A direction is given to the respondents, particularly, the first respondent to consider the representation given by the petitioner, dated 02.05.2024 and pass orders sanctioning the retirement benefits like General Provident Fund, Special Provident Fund, Encashment of Earned Leave and Encashment of Unearned Leave on private affairs except Gratuity and pensionary benefits within a period of eight weeks from the date of receipt of a copy of this order.

5.The writ petition stands disposed of. No Costs.

21-03-2025

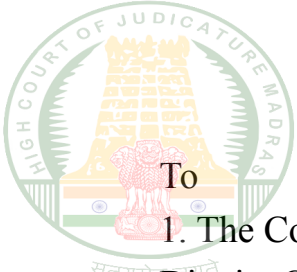
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Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No



To

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