



IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED: 03.03.2025

CORAM

THE HONOURABLE MR. JUSTICE C.V.KARTHIKEYAN

W.P.No. 33887 of 2024

Mr.P.Murugesan

... Petitioner

..Vs..

1. The Director of Municipality
O/o. Directorate of Municipality
MRC Nagar, R.A.Puram
Chennai – 600 028.

2. The Commissioner
Narasigapuram Municipality
Narasingapuram, Namakkal District.

... Respondents

PRAYER: Petition under Article 226 of the Constitution of India, praying for the issue of a Writ of Mandamus directing the respondents 1 & 2 to pass order as requested in his representation dated 03.09.2024 given to the respondents 1 and 2 herein with regard to the disbursement of his G.P.F amount of Rs.55,000/- recovered from his from September 2015 to August 2016 and salary for the period of 7 days from the date of joining of Narasingapuram Municipality on 19.08.2015 into his account within a short time frame that may be fixed by this Hon'ble Court with interest @ 8% per



For Petitioner :: Mrs. G.Sridevi
For Respondents :: Dr.T.Seenivasan
Special Government Pleader

ORDER

The Writ Petition has been filed in the nature of a Mandamus seeking a direction against the respondents to examine the representation dated 03.09.2024 given by the petitioner relating to disbursement of his GPF amount of Rs.55,000/- which had been recovered from September 2015 till August 2016 and also seeking disbursement of salary for a period of 7 days which was the joining time which was granted to him at the time when he was transferred consequent to promotion from Revenue Assistant, Namakkal Municipality to Revenue Inspector and posted at Narasingapuram Municipality in Namakkal District.

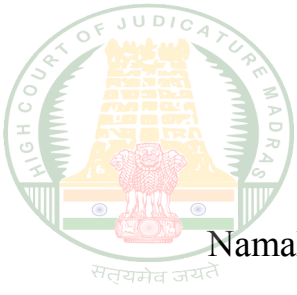
2. The learned counsel for the petitioner pointed out that the writ petitioner had retired on voluntary retirement on 31.08.2024 as Assistant



from Namakkal Municipality. At the time of retirement, practically all the terminal benefits had been paid except the GPF which had been deducted from his salary from September 2015 till August 2016. It is contended that the respondents have held out that the petitioner had obtained a loan and therefore, this amount would be adjusted to the outstanding of the loan.

3. A direction is given to the respondents to examine the representation given by the petitioner in this regard and determine the amount which had accrued to the GPF account and also determine the amount of loan due and payable by the petitioner and after suitable adjustment, pay back the remainder balance to the petitioner within a period of four weeks from the date of such final adjustment. If there is a further delay, the respondents would have to pay the interest at 6% p.a., from the date of actual adjustment as aforementioned till the date of actual disbursement.

4. There is yet another issue of payment of salary for a period of 7 days which is due and payable to the petitioner consequent to his transfer on promotion from Revenue Assistant to Revenue Inspector and transfer from



Namakkal to Narasingapuram Municipality.

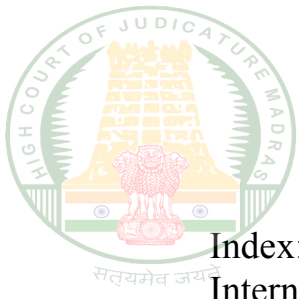
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5. It is only appropriate that the respondents examine the salary which is payable. The salary payable would be the salary as Revenue Assistant till the date he actually joined at Narasingapuram Municipality and as Revenue Inspector on and from the date when he actually joined at Narasingapuram Municipality. But there must be continuity in service and the salary must be paid in the aforementioned terms to the petitioner herein. That amount may also be determined and paid to the petitioner within a period of four weeks from the date of such determination of the amount and if it is paid beyond the period of four weeks, then the respondents would be liable to pay interest at 6% from the date of such determination till the date of actual disbursement. The respondents may examine the service records and come to an appropriate decision in this regard.

6. The Writ Petition stands disposed of. No order as to costs.

03.03.2025

vsg



Index: Yes/No

Internet: Yes/No

Speaking / Non Speaking Order

To

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C.V.KARTHIKEYAN, J.,

vsg

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