

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.07.2015

CORAM

THE HONOURABLE MR.JUSTICE D.HARIPARANTHAMAN

W.P.No.20154 of 2015

R.Pandi

.. Petitioner

Vs.

1.State of Tamil Nadu,
Rep. by its Secretary to Government,
Department of Handloom, Handicraft, Textile and Khadi,
Fort St. George, Chennai-600 009.

2.The Chief Executive Officer,
Tamil Nadu Khadi and Village Industries Board,
Kuralagam, Chennai-600 108. .. Respondents

Writ Petition is filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus directing the second respondent to consider the petitioner's representation dated 13.05.2015 and the final order passed on the disciplinary proceedings dated 29.06.2015 by the second respondent and sanction DCRG, Commutation and monthly full pension.

For Petitioner : Mr.S.Packiaraj
For Respondents : Mr.V.Jeyaprakash Narayanan,
Spl. Government Pleader for R1
Mr.S.K.Bose for R2

ORDER

The petitioner was Assistant Manager in Khadi and Village Industries. He retired from service on 31.12.2009. He was allowed to retire. However, a charge memo was issued on the same day, when he retired from service. The disciplinary proceedings initiated on the last date of his retirement resulted in passing of the order dated 29.06.2015 for recovery of Rs.46,620/-.

2. In view of the aforesaid proceedings, the terminal benefits of the petitioner are not settled. When the matter came up for admission on 08.07.2015, the learned counsel for the petitioner submitted that an amount of Rs.46,620/- could be adjusted towards his DCRG and a direction could be issued to the second respondent to settle the balance amount. Hence, the following order was passed by this Court on that date :

"This matter relates to payment of terminal benefits. In the disciplinary proceedings initiated against the petitioner, a final order came to be passed on 29.06.2015 for recovery of Rs.46,620/-. According to the petitioner, the same can be adjusted towards DCRG amount payable to the petitioner and the entire terminal benefits can be settled.

2. In view of the above, post this matter on 15.07.2015 at the end of the motion list."

3. The learned counsel for the second respondent has submitted that since the petitioner has accepted for recovery, the second respondent is willing to pay the balance amount of DCRG, after adjusting the aforesaid amount and all other terminal benefits including pension would be settled.

4. In these circumstances, the second respondent is directed to settle all the terminal benefits to the petitioner as per law within a period of four weeks from the date of receipt of a copy of this order. No costs.

Sd/-
Assistant Registrar

True Copy

Sub Assistant Registrar

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To

The Secretary to Government,
Department of Handloom, Handicraft, Textile and Khadi,
Fort St. George, Chennai-600 009.

2.The Chief Executive Officer,
Tamil Nadu Khadi and Village Industries Board,
Kuralagam, Chennai-600 108.

1 cc to Mr.S.Packiaraj , Advocate Sr.No.35999
1 cc to Mr.S.K.Bose , Advocate Sr.No. 35979
1 cc to Government Pleader.Sr.No.36050

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