

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATE : 21.09.2015

CORAM

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

W.P.No.28811 of 2015

K.Shanmugam

... Petitioner

Versus

1.Govt., of India,
Rep. By its Secretary,
Department of Heavy
Industries and Public Enterprises,
New Delhi.

2.Hindustan Photo Films
Manufacturing Company Ltd.,
Rep. By its Senior Manager,
Indu Nagar,
Udhagamandalam,
The Nilgiris.

... Respondents

Prayer: This Writ Petition is filed under Article 226 of the Constitution of India, seeking for a writ of mandamus, directing the second respondent to accept his voluntary retirement scheme application No.000033 dated 26.03.2014 and Application No.1100 dated 23.10.2014 in the light of the circular issued by the second respondent vide his proceedings Ref No.P1/14/59/VRS dated 21.03.2014 HRD Division.

For Petitioner : Mr.B.Mutharasu

For Respondents : Mr.V.Subbiah,
Special Government Pleader

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O R D E R

By consent, the writ petition is taken up for final disposal.

2.The petitioner would state that he joined the services of the second respondent as an Apprentice in the year 1979 and at present, he is working as a Civil Engineer under the second respondent. It is further stated by the petitioner that the second

respondent company was declared as sick by the Board for Industrial and Financial Reconstruction (BIFR) during January 2006 but, it is yet to be closed and the Cabinet Committee on Economic Affairs decided to run the second respondent company based on Voluntary Retirement Scheme (VRS) package and accordingly, the first respondent has published communication vide its proceedings Ref.No.19(2)/2013 PE-III 28.03.2004 through its web portal about the implementation of Voluntary Retirement Scheme at 2007 to the second respondent company by fixing the conditions and regulations. The petitioner has also submitted his application expressing his willingness to go on Voluntary Retirement. However, no orders have been passed and in this regard, the petitioner submitted representations dated 26.03.2014 and 23.10.2014 to the respondents and since, no orders have been passed on the same, the petitioner came forward with this writ petition.

3. Heard the learned counsel for the petitioner and Mr.V.Subbiah, learned Special Government Pleader who accepts notice for the respondents.

4. Though, the petitioner has sought for a larger relief, this Court, without going into the merits of the case as projected by the petitioner, directs the second respondent to consider the representations of the petitioner dated 26.03.2014 and 23.10.2014, on merits and in accordance with law and pass orders as expeditiously as possible and not later than eight weeks from the date of receipt of a copy of this order and communicate the decision taken, to the petitioner.

5. The writ petition is disposed of, accordingly. No costs.

Sd/-
Assistant Registrar(CO)

//True Copy// सत्यमेव जयते

Sub Assistant Registrar

jbm

To

1. The Secretary,
Department of Heavy
Industries and Public Enterprises,
New Delhi.

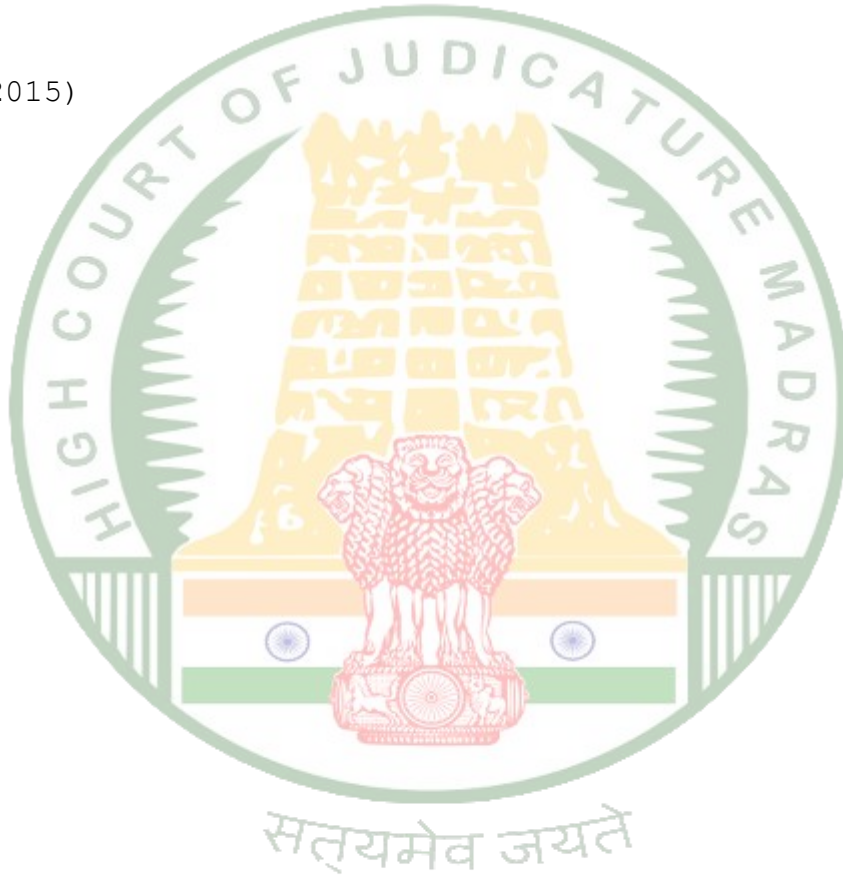
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2.Hindustan Photo Films
Manufacturing Company Ltd.,
Rep. By its Senior Manager,
Indu Nagar,
Udhagamandalam,
The Nilgiris.

+1cc to Mr.B.Mutharasu, Advocate, S.R.No.51500

W.P.No.28811 of 2015

CTK(CO)
CA(05/10/2015)



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