

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.09.2015

CORAM

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

W.P.Nos.28867 to 28871 of 2015

R.Rathinam ... Petitioner in W.P.No.28867 of 2015
V.Ramaswamy ... Petitioner in W.P.No.28868 of 2015
K.Bhuvaneswaran ... Petitioner in W.P.No.28869 of 2015
P.Jothi ... Petitioner in W.P.No.28870 of 2015
S.Arumugam ... Petitioner in W.P.No.28871 of 2015

Vs.

- 1 The Union Territory of
Puducherry Rep. by its Chief Secretary to
Government Puducherry.
- 2 The Managing Director
Anglo French Textiles (also Known as
Puducherry Textile Corporation) Puducherry.
... Respondents in all W.Ps.

Prayer in W.P.No.28867 of 2015:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents to deposit in any Nationalized Bank under Fixed Deposit Scheme the following amount payable by respondents to the petitioner viz:

- | | |
|--|----------------|
| (a) Arrears of Salary for July &
August 2012 and from January
2013 to March 2014 | - 5,59,971.00 |
| (b) Leave Salary | - 1,27,256.00 |
| (c) VRS Compensation | - 1,66,948.00 |
| (d) Gratuity | - 10,11,095.00 |

18,65,270.00

with liberty to petitioner to withdraw monthly interest therefrom so as to sustain the petitioner's livelihood till the disposal of petitioner earlier W.P. No.8365 of 2015 by considering his representation dated 25.06.2015 as expeditiously as possible.

Prayer in W.P.No.28868 of 2015:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents to deposit in any Nationalized Bank under Fixed Deposit Scheme the following amount payable by respondents to the petitioner viz:

(a) Arrears of Salary for July & August 2012 and from January 2013 to March 2014	- 5,59,971.00
(b) Leave Salary	- 1,27,256.00
(c) Gratuity	- 9,84,486.00
	16,71,713.00

with liberty to petitioner to withdraw monthly interest therefrom so as to sustain the petitioner's livelihood till the disposal of earlier W.P. No.8363 of 2015 by considering his representation dated 25.06.2015 as expeditiously as possible.

Prayer in W.P.No.28869 of 2015:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents to deposit in any Nationalized Bank under Fixed Deposit Scheme the following amount payable by respondents to the petitioner viz:

(a) Arrears of Salary for July & August 2012 and from January 2013 to March 2014	- 5,81,026.00
(b) Leave Salary	- 50,558.00
(c) Gratuity	- 6,97,539.00
	13,29,123.00

with liberty to petitioner to withdraw monthly interest therefrom so as to sustain the petitioner's livelihood till the disposal of earlier W.P. No.8361 of 2015 by considering his representation dated 25.06.2015 as expeditiously as possible.

Prayer in W.P.No.28870 of 2015:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents to deposit in any Nationalized Bank under Fixed Deposit Scheme the following amount payable by respondents to the petitioner viz:

(a) Arrears of Salary for July & August 2012 and from January 2013 to March 2014	- 5,59,971.00
(b) Leave Salary	- 1,27,256.00
(c) Gratuity	- 7,45,017.00

14,32,244.00

with liberty to petitioner to withdraw monthly interest therefrom so as to sustain the petitioner's livelihood till the disposal of earlier W.P. No.8364 of 2015 by considering his representation dated 25.06.2015 as expeditiously as possible.

Prayer in W.P.No.28871 of 2015:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents to deposit in any Nationalized Bank under Fixed Deposit Scheme the following amount

payable by respondents to the petitioner viz:

- | | |
|--|---------------|
| (a) Arrears of Salary for July &
August 2012 and from January
2013 to March 2014 | - 5,51,818.00 |
| (b) Leave Salary | - 1,06,718.00 |
| (c) Gratuity | - 6,87,101.00 |

13,45,637.00

with liberty to petitioner to withdraw monthly interest therefrom so as to sustain the petitioner's livelihood till the disposal of earlier W.P. No.8362 of 2015 by considering his representation dated 25.06.2015 as expeditiously as possible.

For Petitioners : Mr.R.Shanmugam
for M/s.Shanmugha Associates

For Respondents : Mrs.N.Mala for R1 and R2
Additional Government Pleader (Pondy)

C O M M O N O R D E R

By consent, the writ petitions are taken up for final disposal.

2.The petitioner in W.P.No.28867 of 2015 was appointed in the second respondent Organisation on 26.06.1976 and at the time of his voluntary retirement on 17.02.2014, he was employed as Technical Supervisor and on earlier occasion he submitted a representation dated 03.10.2014 praying for disbursement of arrears of salary, leave salary, VRS compensation and gratuity and since no orders have been passed filed W.P.No.8365 of 2015 and subsequently submitted one more representation dated 29.06.2015 praying for disbursal of the following amount:

- | | |
|--|----------------|
| (a) Arrears of Salary for July &
August 2012 and from January
2013 to March 2014 | - 5,59,971.00 |
| (b) Leave Salary | - 1,27,256.00 |
| (c) VRS Compensation | - 1,66,948.00 |
| (d) Gratuity | - 10,11,095.00 |

18,65,270.00

Though it was received and acknowledged, no orders have been passed and hence came forward to file the writ petition.

3.The petitioner in W.P.No.28868 of 2015 was appointed in the second respondent Organisation on 15.07.1977 and at the time of his voluntary retirement on 17.02.2014, he was employed as Technical Supervisor and on earlier occasion he submitted a representation dated 03.10.2014 praying for disbursement of arrears of salary, leave salary, and gratuity and since no orders have been passed filed

W.P.No.8363 of 2015 and subsequently submitted one more representation dated 25.06.2015 praying for disbursal of the following amount:

(a) Arrears of Salary for July & August 2012 and from January 2013 to March 2014	- 5,59,971.00
(b) Leave Salary	- 1,27,256.00
(c) Gratuity	- 9,84,486.00
	16,71,713.00

Though it was received and acknowledged, no orders have been passed and hence came forward to file the writ petition.

4.The petitioner in W.P.No.28869 of 2015 was appointed in the second respondent Organisation on 16.01.1987 and at the time of his voluntary retirement on 26.03.2014, he was employed as Technical Supervisor and on earlier occasion he submitted a representation dated 03.10.2014 praying for disbursement of arrears of salary, leave salary, and gratuity and since no orders have been passed filed W.P.No.8361 of 2015 and subsequently submitted one more representation dated 25.06.2015 praying for disbursal of the following amount:

(a) Arrears of Salary for July & August 2012 and from January 2013 to March 2014	- 5,81,026.00
(b) Leave Salary	- 50,558.00
(c) Gratuity	- 6,97,539.00
	13,29,123.00

Though it was received and acknowledged, no orders have been passed and hence came forward to file the writ petition.

5.The petitioner in W.P.No.28870 of 2015 was appointed in the second respondent Organisation on 27.07.1986 and at the time of his voluntary retirement on 17.02.2014, he was employed as Technical Supervisor and on earlier occasion he submitted a representation dated 03.10.2014 praying for disbursement of arrears of salary, leave salary, and gratuity and since no orders have been passed filed W.P.No.8364 of 2015 and subsequently submitted one more representation dated 25.06.2015 praying for disbursal of the following amount:

(a) Arrears of Salary for July & August 2012 and from January 2013 to March 2014	- 5,59,971.00
(b) Leave Salary	- 1,27,256.00
(c) Gratuity	- 7,45,017.00
	14,32,244.00

Though it was received and acknowledged, no orders have been passed and hence came forward to file the writ petition.

6.The petitioner in W.P.No.28871 of 2015 was appointed in the second respondent Organisation on 18.02.1987 and at the time of his voluntary retirement on 08.03.2014, he was employed as Technical Supervisor and on earlier occasion he submitted a representation dated 03.10.2014 praying for disbursement of arrears of salary, leave salary, and gratuity and since no orders have been passed filed W.P.No.8362 of 2015 and subsequently submitted one more representation dated 25.06.2015 praying for disbursal of the following amount:

(a) Arrears of Salary for July & August 2012 and from January 2013 to March 2014	-	5,51,818.00
(b) Leave Salary	-	1,06,718.00
(c) Gratuity	-	6,87,101.00
		13,45,637.00

Though it was received and acknowledged, no orders have been passed and hence came forward to file the writ petition.

7.The grievance expressed by the petitioners is that inspite of the pendency of the earlier writ petitions as well as the submission of the representations dated 29.06.2015, 25.06.2015, 25.06.2015, 25.06.2015 and 25.06.2015 respectively, the respondents did not care to pass any orders and consequently, they along with family members are suffering very much and some of them were unable to celebrate the marriage of their wards and therefore, all the petitioners are constrained to file these writ petitions and prays for appropriate orders.

8.Heard the submissions of Mr.R.Shanmugam, learned counsel appearing for the petitioners and Mrs.N.Mala, learned Additional Government Pleader (Pondy) who accepts notice on behalf of the respondents.

9.Taking into consideration the fact that all the petitioners had retired voluntarily from service, the case projected by them in the writ petitions prima facie appears to be sustainable.

10.This Court in the light of the above facts and circumstances, directs the respondents 1 and 2 to consider and dispose of the petitioners representations dated 29.06.2015, 25.06.2015, 25.06.2015, 25.06.2015 and 25.06.2015 respectively, on merits and in accordance with law and pass orders within a period of eight weeks from the date of receipt of a copy of this order and communicate the decision taken, individually to the petitioners.

11.The writ petitions are disposed of accordingly. No costs.
Consequently, the connected miscellaneous petitions are closed.

Sd/-
Asst.Registrar (CO)

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Sub Asst. Registrar

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To

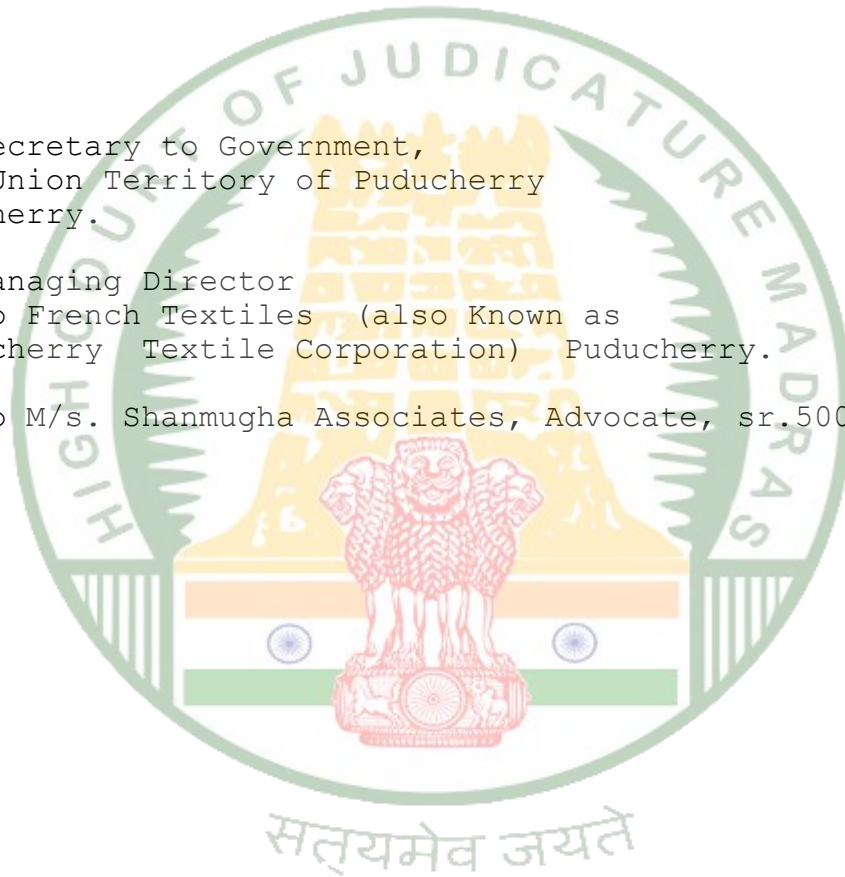
1 The Secretary to Government,
The Union Territory of Puducherry
Puducherry.

2 The Managing Director
Anglo French Textiles (also Known as
Puducherry Textile Corporation) Puducherry.

+5 cc's to M/s. Shanmugha Associates, Advocate, sr.50041

W.P.Nos.28867 to
28871 of 2015

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