

THE HIGH COURT OF JUDICATURE AT MADRAS

DATE : 30.09.2015

CORAM

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

W.P.No.30869 of 2015

Dr.C.Soosaipandi

... Petitioner

Versus

1. The General Manager
Personnel Department
The National Insurance Company
Limited, Head Office, No.3,
Middleton Street, Kolkatta 700071.

2. The Deputy General Manager
The National Insurance Company Limited
Chennai Regional Office, No.190
Anna Salai, Chennai 600 006.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, seeking for a writ of mandamus directing the respondents to provide back wages, attendant benefits including promotion to the petitioner as per Seniority List issued by the respondents dated 01.04.2013.

For Petitioner : Mr.V.Sivakumar

For Respondents : Mr.M.Vijayaragavan

ORDER

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

2. The petitioner while working as Additional Manager of National Insurance Company, Coimbatore, said to have demanded and accepted illegal gratification and the Central Bureau of Investigation, Anti Corruption Branch, has prosecuted the case by filing charge sheet in CC.No.2/2012 on the file of the Court of the II Additional District Judge, Special Judge for CBI Cases, Coimbatore and the said Court, vide Judgment dated 03.09.2013 has

convicted and sentenced the petitioner. Challenging the said Judgment, the petitioner preferred CA.No.610/2013 on the file of this Court and this Court, vide Judgment dated 29.11.2013, has awarded benefit of doubt in favour of the petitioner / appellant and set aside the conviction and sentence passed by the Trial Court and acquitted him and thereby allowed the appeal.

3. The grievance expressed by the petitioner is that subsequently, he was reinstated in service and however, his claim for back wages, promotion and other benefits have not been given to him. In this regard, he has submitted a representation dated 28.10.2014 to the 2nd respondent and since it has not been considered, he has submitted an appeal petition dated 10.11.2014 before the 1st respondent and since no orders have been passed, the petitioner came forward to file this writ petition.

4. Heard the submissions of the learned counsel for the petitioner and Mr.M.Vijayaragavan, learned counsel who accepts notice on behalf of the respondents.

5. Though the petitioner has prayed for a larger relief, this Court, in the light of the above facts and circumstances and without going into the merits of the same, directs the 2nd respondent to consider and dispose of the petitioner's representation/appeal dated 16.12.2014, 08.01.2015 and 14.05.2015 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, to the petitioner.

6. The writ petition is disposed of accordingly. No costs.

Sd/-
Assistant Registrar(CS IV)

//True Copy// सत्यमेव जयते

Sub Assistant Registrar

AP

To

1. The General Manager
Personnel Department
The National Insurance Company
Limited, Head Office, No.3,
Middleton Street, Kolkatta 700071.

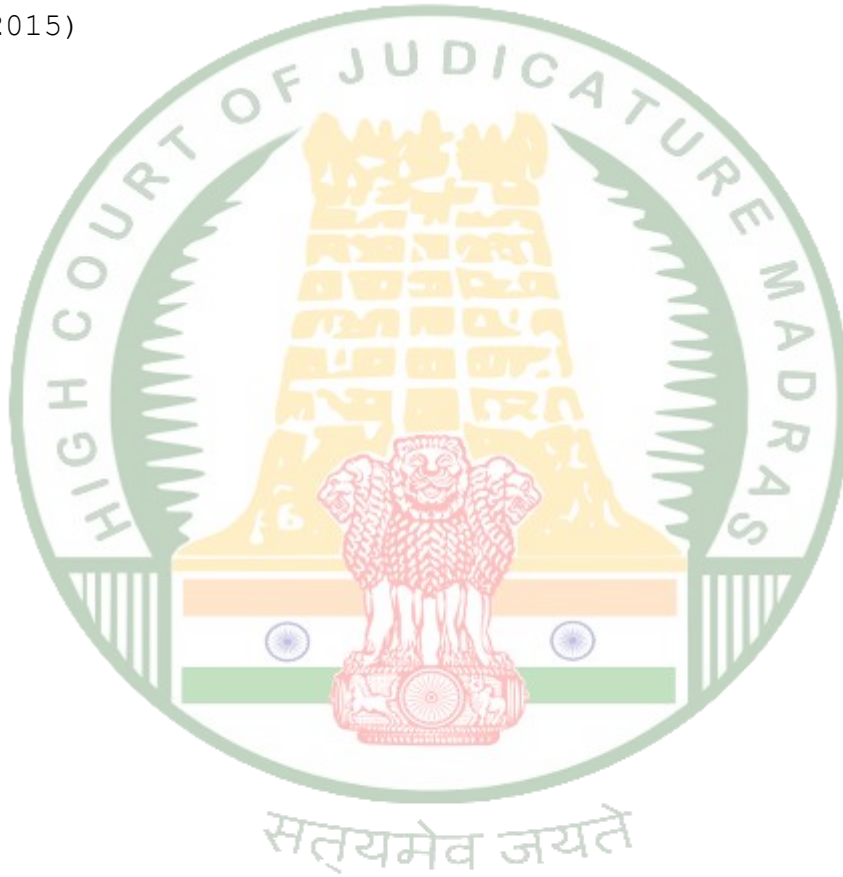
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2. The Deputy General Manager
The National Insurance Company Limited
Chennai Regional Office, No.190
Anna Salai, Chennai 600 006.

+2cc's to Mr.V.Siva Kumar, Advocate, S.R.No.53224

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GGK(CO)
CA(13/10/2015)



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