

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 22.04.2016

Coram

The Honourable Mr.Justice T.RAJA

W.P.No.14434 of 2016

B.Sankaran

.. Petitioner

-vs-

- 1.The Tamil Nadu Civil Supplies Corporation Ltd., Rep. By its Managing Director, No.12, Thambusamy Road, Kilpauk, Chennai.
- 2.The General Manager (Administration), The Tamil Nadu Civil Supplies Corporation Ltd., No.12, Thambusamy Road, Kilpauk, Chennai.
- 3.The Senior Regional Manager, The Tamilnadu Civil Supplies Corporation Ltd., Dharmapuri.
- 4.The Senior Regional Manager, The Tamilnadu Civil Supplies Corporation Ltd., Tuticorin.

.. Respondents

Petition filed under Article 226 of the Constitution of India praying for issue of Writ of Mandamus to direct the second respondent to consider the representation of the petitioner dated 26.10.2015 in accordance with law and pass orders granting the retiral benefits and arrears of salary due to the petitioner.

For Petitioner : Mr.Bharatha Chakravarthy
for M/s.Sai Bharath and Ilan
For Respondents : Mr.S.Gunasekaran,
Addl.G.P.

O R D E R

Mr.B.Sankaran, who worked as an Assistant in the respondent Corporation, has come to this Court seeking issuance of Writ of Mandamus against the second respondent to consider his representation dated 26.10.2015 on merits and in accordance with law.

2.Mr.S.Gunasekaran, learned Additional Government Pleader, takes notice for the respondents.

3.The crux of the issue in the writ petition is that while he was serving as Assistant, an order of suspension was passed. Pursuant thereto, he was not even paid with the subsistence allowance. Therefore, he has come to this Court with W.P.No.1616 of 2013 seeking payment of subsistence allowance and this Court also passed an order directing the respondents to pay the subsistence allowance. Subsequently, he has taken part in the enquiry, which is also finally ended with an order of punishment with stoppage of increments for a period of five years with cumulative effect vide order dated 30.06.2015.

4.In the meanwhile, the petitioner also reached the age of superannuation wayback on 31.12.2011. Therefore, the petitioner has given a representation dated 26.10.2015 requesting the respondents to adjust all the amounts overdue of the punishment from his retiral benefits and thereafter, disburse of the balance amount. But the said representation till date has not been disposed of. Hence, he has sought for the relief mentioned supra.

5.Learned Additional Government Pleader, on taking notice, sought for eight (8) weeks time to consider the petitioner's representation

6.Since the petitioner had already reached the age of superannuation on 31.12.2011 and the disciplinary proceedings also had come to an end on 30.06.2015 with punishment of stoppage of increments for five years with cumulative effect, his representation dated 26.10.2015 has to be considered. Therefore, this Court hereby directs the second respondent to consider the petitioner's representation dated 26.10.2015 on merits and pass appropriate orders within a period of three (3) weeks from the date of receipt of a copy of this order.

7.Writ petition is disposed of with the above direction. No costs.

Sd/-
Assistant Registrar(V)

//True Copy//

Sub Assistant Registrar

sra

To

1.The Managing Director,
Tamil Nadu Civil Supplies Corporation Ltd.,
No.12, Thambusamy Road, Kilpauk,
Chennai.

2.The General Manager (Administration),
The Tamil Nadu Civil Supplies
Corporation Ltd., No.12,
Thambusamy Road, Kilpauk, Chennai.

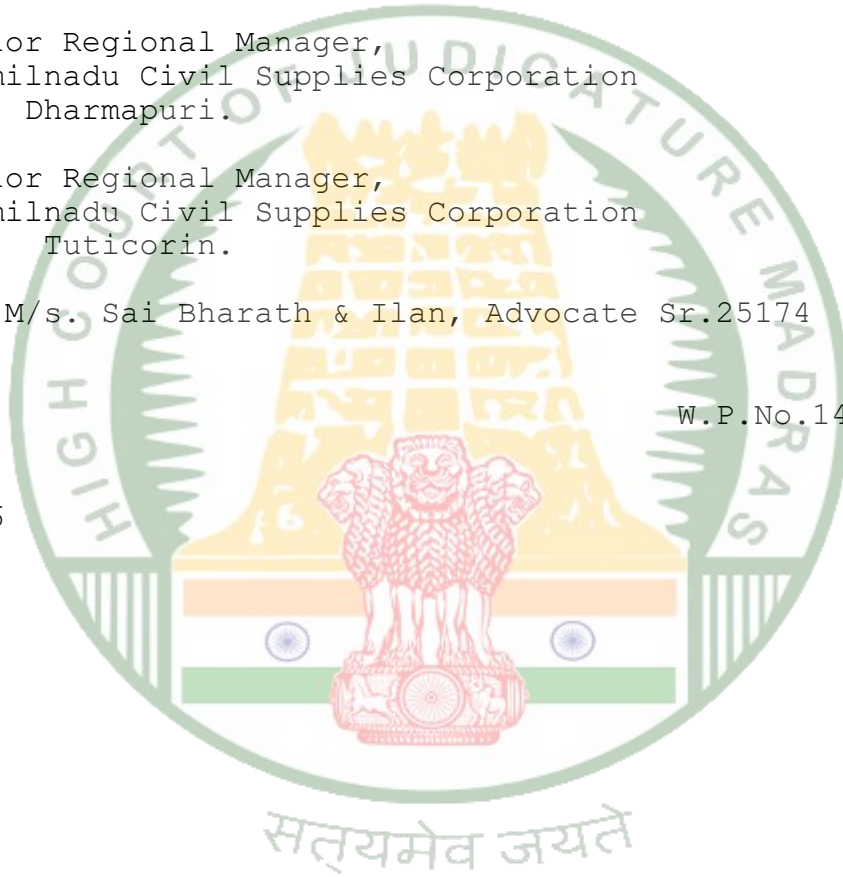
3.The Senior Regional Manager,
The Tamilnadu Civil Supplies Corporation
Ltd., Dharmapuri.

4.The Senior Regional Manager,
The Tamilnadu Civil Supplies Corporation
Ltd., Tuticorin.

+ 1 cc to M/s. Sai Bharath & Ilan, Advocate Sr.25174

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AD(CO)
Eu 20.5.16



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