

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08.11.2016

CORAM:

THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P. No.11350 of 2013

M.Mani

... Petitioner

Vs.

Bharat Heavy Electricals Limited,
(BAP) Ranipet, rep. by its
Additional General Manager (HR),
Ranipet - 632 406.

... Respondent

PRAYER : Writ Petition filed under Article 226 of the Constitution of India to issue of Writ of Mandamus directing the respondent to consider the petitioner representation dated 15.03.2013 made by the petitioner and grant the terminal benefits due to him by counting the service rendered in the respondent undertaking with all attendant benefits.

For Petitioner : M/s.C.K.Chandrasekhar

For Respondent : Mr.P.John
for M/s.Fox Mandal Associates

O R D E R

The petitioner, who was recruited to the respondent company as a Nominal Muster Roll (NMR) employee was subsequently, absorbed as a regular employee and given a permanent post. His service was also regularised in the said post during April 2006. After two years, the petitioner reached the age of superannuation and retired. Though the respondent had paid Provident Fund amounts to the petitioner, he has not been paid the other terminal benefits like pension, gratuity etc., for which according to the petitioner, he is eligible for. In this regard, the petitioner has made a representation to the respondent on 15.03.2013 seeking for all his terminal benefits. Since the same has not been considered, the petitioner has filed the present Writ Petition.

2. The learned counsel for the respondent on the other hand would submit that he has got specific instructions to state that no such representation was received till date and in case the petitioner submits a fresh representation, the same shall be considered on its own merits.

3. In view of the submissions made by both the counsels, there shall be a direction to the respondent to consider the petitioner's representation dated 15.03.2013 seeking for his terminal benefits and pass orders in accordance to the prevailing rules of the respondent company within a period of four weeks from the date of receipt of the copy of the order. The petitioner shall also furnish a copy of the said representation dated 15.03.2013 along with this order forthwith.

Sd/-

Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

vsi2

To

Bharat Heavy Electricals Limited,
(BAP) Ranipet, rep. by its
Additional General Manager (HR),
Ranipet - 632 406.

+1cc to Mr.K. Chandrasekar, Advocate, S.R.No.64741

+1cc to M/s. Fox Mandal Associates, Advocate, S.R.No.

W.P. No. 11350 of 2013

SR(CO)

EU 08.12.16

सत्यमेव जयते

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