

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:03.06.2016

CORAM

THE HON'BLE MR.JUSTICE B.RAJENDRAN

W.P.No.3549 of 2016

M.Namachivayam

.. Petitioner

vs

1. The Special Officer
The Salem Urban Co-operative Ltd.,
No.405, First Agraharam
Salem 636 001.

2. The General Manager
The Salem Urban Co-operative Ltd.,
No.405, First Agraharam
Salem 636 001.

.. Respondents

Writ petition filed under Article 226 of the Constitution of India praying for the issuance of a writ of mandamus to direct the respondents to forthwith pay the leave salary, annual increment to the petitioner and also to settle the terminal benefits payable to him on his retirement on 30.06.2012 by considering and passing orders on the representation dated 10.06.2014.

For Petitioner : Mr.K.Selvaraj

For Respondents: Mr.L.P.Shanmuga Sundaram
Special Government Pleader

ORDER

The prayer in the writ petition is for the issuance of writ of mandamus to direct the respondents forthwith pay the leave salary, annual increment to the petitioner and also to settle the terminal benefits payable to him on his retirement on 30.06.2012 by considering his representation dated 10.06.2014.

2. Heard both sides.

3. When the matter is taken up for hearing today, the learned counsel appearing for the petitioner submitted that the petitioner has been demoted to the post of Assistant and that he is seeking settlement of his retirement benefits only in the

category of Assistant. He would further submit that since the petitioner has retired from service as early as 30.06.2012, he only seeks for early disbursement of his retirement benefits by considering his representation dated 10.06.2014.

4. The learned Special Government Pleader appearing on behalf of the respondents also would submit that the petitioner was demoted to the post of Assistant and that he is entitled to get the terminal benefits under the said category.

5. Following the submissions made on either side, this Court without going into the merits of the matter, directs the second respondent to consider the representation dated 10.06.2014 submitted by the petitioner and pass appropriate orders by disbursing the terminal benefits to the petitioner as expeditiously as possible, in any case, within a period of three months from the date of receipt of a copy of this order, treating as he retired as an Assistant.

6. Accordingly, this writ petition is disposed of. No costs.

Sd/-

Assistant Registrar(J)

//True Copy//

Sub Assistant Registrar

vj2

To

1. The Special Officer
The Salem Urban Co-operative Ltd.,
No.405, First Agraharam
Salem 636 001.

2. The General Manager
The Salem Urban Co-operative Ltd.,
No.405, First Agraharam
Salem 636 001.

+1cc to Mr.L.P. Shanmuga Sundaram, Advocate, S.R.No.31677
+1cc to Mr.K. Selvaraj, Advocate, S.R.No.29648

LRS (CO)
EU(21/06/2016)

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