

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.11.2016

CORAM

THE HONOURABLE MR.JUSTICE R.SUBBIAH

W.P.No.39351 of 2016

A.Subramanian

... Petitioner

Vs.

1 State of Tamil Nadu
Rep by Secretary to Government
Department of Handloom
Handicraft
Textile and Khadi,
Fort St. George, Chennai - 600 009.

2 The Chief Executive Officer,
Tamil Nadu Khadi and Village Industries Board,
Kuralagam, Chennai - 600 108.

... Respondents

Prayer:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the 2nd respondent herein to dispose the representation dated 27.02.2014 submitted by the petitioner by hand with reference to the covered Judgment in W.P. No.24066 of 2008 dated 27.11.2008, based on the proceeding Rc. No.27796/Pen(1)/2003 dated 26.04.2011 so as to enable the writ petitioner to receive the sanctioned DCRG amount, the sum of Rs.2,44,035/- along with the with held amount of Rs.33,307/- with interest with effect from 30.06.2003 till the date of realization, within the stipulated period prescribed by this Honourable Court.

For Petitioner : Mr.G.Thangavel
For Respondents : Mr.K.Dhananjayan
Special Government Pleader

O R D E R

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

2.The present writ petition has been filed seeking a Mandamus directing the second respondent herein to dispose the

representation dated 27.02.2014 submitted by the petitioner by hand with reference to the covered Judgment in W.P. No.24066 of 2008 dated 27.11.2008, based on the proceeding Rc. No.27796/Pen (1)/ 2003 dated 26.04.2011 so as to enable the writ petitioner to receive the sanctioned DCRG amount, the sum of Rs.2,44,035/- along with the withheld amount of Rs.33,307/- with interest with effect from 30.06.2003 till the date of realization, within the stipulated period prescribed by this Court.

3.The petitioner joined as Junior Assistant at the office of Vellore Assistant Director of Khadi and Village Industries on 04.04.1966. Thereafter, he was promoted as Assistant in the year 1975 and was further promoted as Superintendent in the year 1984 and was further promoted as Assistant Director of Khadi and Village Industries Board in the year 1994 and was posted at Dharmapuri and retired on 30.06.2003 on attaining the age of superannuation.

4.Though the petitioner was allowed to retire on 30.06.2003, the retirement order was served to the petitioner only on 26.04.2011. The retirement order specifically stated that a sum of Rs.2,44,035/- towards sanctioned D.C.R.G. Amount and a sum of Rs.33,307/- is to be withheld pending finalization of criminal case in K6 Silk Counter as per the instruction of Board Advocate. The petitioner made several representations seeking to release the said amounts and the last of such representation was made on 27.02.2014. Since they have not been considered, came forward to file this writ petition.

5.Heard the submissions of the learned counsel appearing for the petitioner and the learned Special Government Pleader who take notice for the respondents.

6.Considering the submissions made on either side and without going into the merits of the case, this Court directs the respondents to consider the representation of the petitioner dated 27.02.2014, on merits and in accordance with law and pass appropriate orders, within a period of six weeks from the date of receipt of a copy of this order.

7.It is made clear that this Court has not expressed any opinion with regard to the merits of the claim made by the petitioner and it is for the respondents to decide the matter, purely on merits.

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

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

To

1 The Secretary to Government
Department of Handloom
Handicraft
Textile and Khadi,
Fort St. George, Chennai - 600 009.

2 The Chief Executive Officer,
Tamil Nadu Khadi and Village Industries Board,
Kuralagam, Chennai - 600 108.

+1cc to Mr.G. Thangavel, Advocate, S.R.No.64569

+1cc to the Government Pleader, S.R.No.64944

KJi (CO)
md(10/12/2016)

W.P.No.39351 of 2016

सत्यमेव जयते

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