

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.11.2016

CORAM

THE HONOURABLE MR.JUSTICE R.SUBBIAH

W.P.No.39653 of 2016

V.Elavazhagan

... Petitioner

Vs.

- 1 The Chief Executive Officer
Tamilnadu Khadi & Village Industries Board
Kuralagam,
Chennai - 600 108.
- 2 The Assistant Director, (Guindy)
Tamilnadu Khadi & 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 Respondents to dispose the representation dated 20.10.2014 submitted by the petitioner within the stipulated period prescribed by this Honourable High Court of Madras.

For Petitioner : Mr.G.Thangavel

For Respondents : Mr.R.Venkatesh
Government Advocate

सत्यमेव जयते
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 Respondents to dispose the representation dated 20.10.2014 submitted by the petitioner within the stipulated period prescribed by this Court.

3.The petitioner who is the retired Assistant, would state that he joined the said post on 09.09.1988 and his service was regularized with effect from 09.09.1988 and retired on 31.01.2012 on reaching the age of superannuation. The terminal benefits were not properly worked out and was not granted to

him. The first respondent issued a circular in RC.No.7061/E3 (3)/2001 dated 31.05.2011 and issued instructions to the authority concerned regarding the payment of terminal benefits. The petitioner made representation in this regard and the respondent, vide proceedings dated 05.04.2013 admitted the petitioner's eligibility and the same was brought to his knowledge on 12.04.2013. Therefore, the petitioner made further representation on 20.10.2014 seeking appropriate terminal benefits under the law in force and the same was forwarded to the Assistant Director, Tamil Nadu Khadi and Village Industries Board on 24.10.2014 and the same is still kept pending. Even thereafter, the petitioner has made several representations and has also sent a legal notice to the respondents and since no response is forthcoming, came forward to file this petition.

4. Heard the submissions of the learned counsel appearing for the petitioner and the learned Government Advocate who takes notice for the respondents.

5. 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 20.10.2014, 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. The writ petition is disposed of accordingly. No costs.

Sd/-
Asst.Registrar (J)

/true copy/

Sub Asst. Registrar

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To

- 1 The Chief Executive Officer
Tamilnadu Khadi & Village Industries Board
Kuralagam,
Chennai - 600 108.

2 The Assistant Director, (Guindy)
Tamilnadu Khadi & Village Industries Board
Kuralagam,
Chennai - 600 108.

1 cc to Mr.G. Thangavel, advocate, Sr. 65292
1 cc to Government Pleader, Sr. 65883

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