

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.04.2017

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

W.P.No.9254 of 2017

P.D.Govindarajan

.. Petitioner

-vs-

1. The Secretary to Government of Tamil Nadu
Tamil Nadu Civil Supplies Corporation Limited
No.12, Thambusamy Street
Kilpauk, Chennai 600 010
2. The Chairman cum Managing Director
Tamil Nadu Civil Supplies Corporation Limited
No.42, Thambusamy Street
Kilpauk, Chennai 600 010
3. The Zonal Manager
Tamil Nadu Civil Supplies Corporation Limited
Chennai South Zone
Gopalapuram, Chennai 600 086
4. The Manager
Administration
Tamil Nadu Civil Supplies
Corporation Limited
No.9, Conron Smith Road
Gopalapuram, Chennai 600 086

.. Respondents

Petition under Article 226 of the Constitution of India, praying for the issue of a Writ of Mandamus, directing the respondents to pay the gratuity and earned leave encashment amount to the petitioner complying with the order dated 25.11.1996 made in W.P.No.6162 of 1992 on the file of this Hon'ble Court within a stipulated time.

For Petitioner :: Ms.M.R.Sakunthala

For Respondents :: Mr.L.P.Shanmughasundaram
Special Government Pleader

ORDER

The petitioner, while serving as Superintendent at VTC, Nagappa Godown, Madras during the year 1982, was placed under suspension on 22.4.82 alleging certain irregularities in the issuance of paddy to a private miller viz., M/s Sowbagya Rice Mill. Thereafter, he was issued with a charge memo alleging manipulation of stock numbers in the register of issues, stock register, etc., and again a criminal case was also filed against him for illicit disposal of paddy to an extent of 9.6 MT and was prosecuted for an offence under Sections 409, 477A read with 109, 120B of the IPC on the file of the learned Judicial Magistrate No.I, Ponneri in C.C.No.32 of 1985. However, he was acquitted by the learned Judicial Magistrate on 23.2.89. After some time, he was also dismissed from service departmentally. Thereafter, he was issued with a charge memo on 2.1.90 and the enquiry officer also, on completion of the enquiry, submitted his report on 16.11.90 and finally he was dismissed from service. However, the order of dismissal was modified by this Court in W.P.No.6162 of 1992 as removal from service by an order dated 25.11.96. Therefore, the claim of the petitioner is that he is entitled to get the gratuity and earned leave encashment amount, which are not disbursed to him. He has also given a representation, which has been forwarded to the third respondent. But till date, no order has been passed by the third respondent. Hence he has come to this Court.

2. Mr.L.P.Shanmughasundaram, learned Special Government Pleader, taking notice on behalf of the respondents, sought four weeks time to pass orders on the pending representation dated 8.6.2016.

3. Recording his statement, the third respondent is hereby directed to consider and dispose of the pending representation of the petitioner on merits and in accordance with law, within a period of four weeks from the date of receipt of a copy of this order. The writ petition is disposed of accordingly. No costs.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

ss

To

1. The Secretary to Government of Tamil Nadu,
Tamil Nadu Civil Supplies Corporation limited,
No.12, Thambusamy Street,Kilpauk,
Chennai-600 010.
2. The Chairman cum Managing Director
Tamil Nadu Civil Supplies Corporation Limited
No.42, Thambusamy Street
Kilpauk, Chennai 600 010
3. The Zonal Manager
Tamil Nadu Civil Supplies Corporation Limited
Chennai South Zone
Gopalapuram, Chennai 600 086
4. The Manager
Administration
Tamil Nadu Civil Supplies
Corporation Limited
No.9, Conron Smith Road
Gopalapuram, Chennai 600 086

+1cc to Mr.L.p.Shanmugasundaram, Advocate, S.R.No.23710

+1cc to Mr.T.P.Prabakaran, Advocate, S.R.No.23255

vd(co)
rmp(05/05/17)

W.P.No.9254 of 2017

सत्यमेव जयते

WEB COPY