

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06-12-2017

CORAM

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No.6315 of 2010

N.Durairajan

.. Petitioner

-vs-

The Managing Director,
Personnel-Mines-I,
Neyveli Lignite Corporation,
Neyveli-607 802.

.. Respondent

Writ Petition is filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Mandamus, directing the respondent-Corporation to pay the petitioner all the terminal benefits by considering the representations dated 24.4.2008 and 20.4.2009 made by the petitioner to the respondent-Corporation.

For Petitioner - Ms.Elizabeth Rani for
Mr.S.Subbiah

For Respondent - Mr.N.Nithianandam

ORDER

The relief sought for in this writ petition is for a direction to direct the respondent-Corporation to pay the petitioner all the terminal benefits by considering the representations dated 24.4.2008 and 20.4.2009 made by the petitioner.

2. The learned counsel, appearing on behalf of the writ petitioner, states that pursuant to the Industrial Dispute raised by the writ petitioner in I.D.No.37 of 1990 before the Industrial Tribunal, an Award was passed on 9.2.1996, declaring that the second de novo enquiry conducted by the Disciplinary Authority was illegal and consequently, an order of dismissal was set aside with a direction for reinstatement. However, already the writ petitioner attained the age of superannuation

in between and the terminal and retirement benefits alone have to be settled. The learned counsel for the writ petitioner further states that certain dues were already settled and the balance amount to be disbursed in favour of the writ petitioner.

3. The learned counsel, appearing on behalf of the respondent, states that the dues to the writ petitioner have been settled and if at all any such dues, the same will be recalculated and the correct figure will be ascertained and intimated to the writ petitioner. In this regard, the writ petitioner is at liberty to submit his further representation to the respondent-Corporation and in fact, the writ petitioner has already submitted several representations on 24.4.2008 and 20.4.2009.

4. In this view of the matter, the respondent-Corporation is directed to consider the representations submitted by the writ petitioner on 24.4.2008 and 20.4.2009 and pass orders on merits and in accordance with law, within a period of six weeks from the date of receipt of a copy of this order. The writ petitioner is directed to enclose the copy of the representations and all other documents, including the calculation sheet, along with the order passed in this writ petition.

5. Accordingly, the writ petition stands disposed of. However, there shall be no order as to costs.

Sd/-

Deputy Registrar

//True Copy//

Sub Assistant Registrar

Svn

To

The Managing Director,
Personnel-Mines-I,
Neyveli Lignite Corporation,
Neyveli-607 802.

+1cc to Mr.NITHIANANDAM Advocate, S.R.No. 8673

+1cc to Mr.P.RAJA Advocate, S.R.No. 87224

WP 6315 of 2010

TR(18/12/2017)