

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **06.07.2017**

CORAM:

THE HONOURABLE **MR.JUSTICE S.M.SUBRAMANIAM**

**W.P.No.15372 of 2017**

1.G.Ramalingam  
2.P.Palanimuthu  
3.C.Veerasingam  
4.K.Murugan  
5.N.Solai  
6.R.Narayanan  
7.P.Ramapillai  
8.S.Vediyar  
9.K.Kaliamoorthy  
10.R.Ramalingam  
11.N.Nallathambi

...Petitioners

/versus/

1.The General Manager (Administration)  
Gratuity Trust Fund, Tamilnadu Civil Supply Corporation Ltd.,  
Head Office, Kilpauk, Chennai – 10.

2.The Regional Manager,  
Tamilnadu Civil Supply Corporation Ltd.,  
Villupuram Region,  
Villupuram District.

...Respondents

**Prayer:** Writ petition is filed under Article 226 of Constitution of India praying to issue Writ of Mandamus or any other Writ or Order or Direction directing the respondents to consider our representations 02.05.2016, 31.08.2016, 01.09.2016, 06.09.2016, 08.09.2016, 20.10.2016 and 30.12.2016 consequently disburse the balance gratuity amounts with interest at the rate of 12% per annum from the dates on which the amount became due till date of disbursement to us.

For Petitioners : Mr.S.N.Subramani  
For R1 : Mr.K.Dhanajeyan  
Special Government Pleader  
For R2 : Mr.L.P.Shanmugasundaram  
Special Government Pleader

**ORDER**

The grievances advanced by the writ petitioners in this writ petition is that inspite of the fact that all these writ petitioners are allowed to retire from service by the respondents, their retirement benefits including gratuity have not been settled so far. The writ petitioners are entitled for the retirement benefits in view of the fact that the respondents had issued orders allowing the writ petitioners to retire from service. The entitlement of retiral benefits cannot be denied unless any disciplinary action was pending as per the rules. This apart, the belated payment of retiral benefits also to carry interest in favour of the writ petitioners. However, the writ petitioners have submitted representations on 02.05.2016, 31.08.2016, 01.09.2016, 06.09.2016, 08.09.2016, 20.10.2016 and on 30.12.2016. Inspite of various representations given, no decision has been taken by the respondents with regard to the payment of gratuity to the Writ Petitioners. Hence, the Writ

Petitioners move this Court under Article 226 of the Constitution of India.

2.The learned counsel appearing for the writ petitioners contended that even in earlier circumstances, the very same respondent has not paid gratuity to some other retired employees and this Court has already considered all the issues and passed Orders in W.P.No.31308 of 2016 on 9<sup>th</sup> September 2016. Thus, this Court is of the considered opinion that the present writ petition also has to be considered by issuing directions to the respondents to consider the representations of the petitioners.

3.Accordingly, the first respondent is directed to consider the representations submitted by the writ petitioners on 02.05.2016, 31.08.2016, 01.09.2016, 06.09.2016, 08.09.2016, 20.10.2016 and on 30.12.2016 and pass appropriate orders on merits and in accordance with law within a period of eight weeks from the date of receipt of a copy of this order. The writ petitioners are directed to enclose the copies of the representations along with the order passed in this writ petition.

This Writ Petition stands disposed of accordingly. However, there is no order as to costs.

**06.07.2017**

rna

**To**

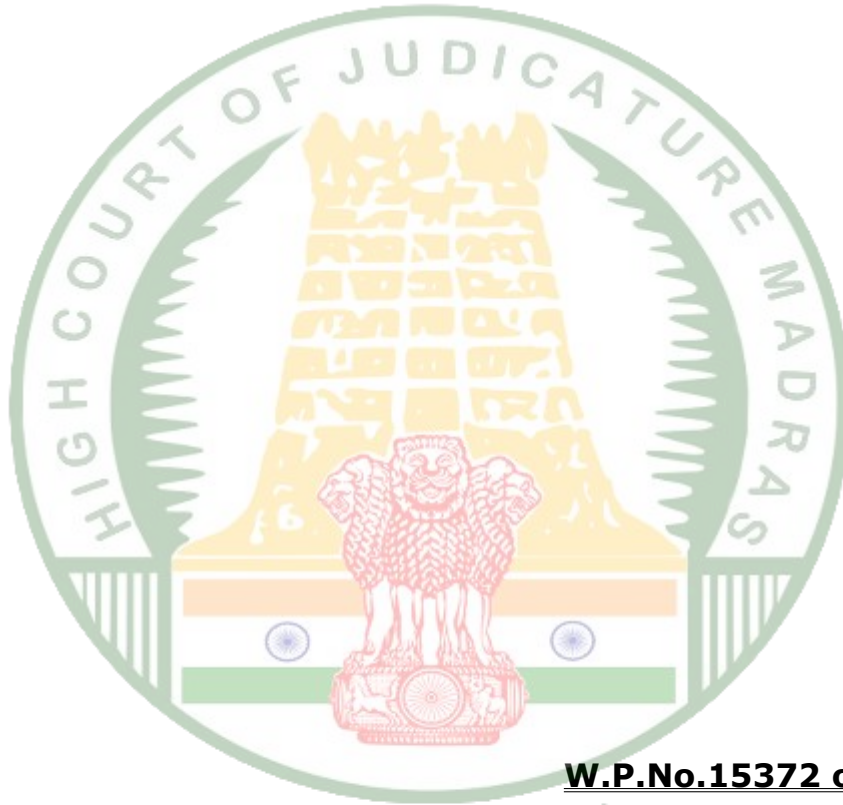
- 1.The General Manager (Administration)  
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- 2.The Regional Manager,  
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Villupuram District.

सत्यमेव जयते

**WEB COPY**

**S.M.SUBRAMANIAM.J,**

rna



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सत्यमेव जयते

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