

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05-12-2017

CORAM

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No.22478 of 2009

And

M.P.No.1 of 2009

P.Sukumaran

..Petitioner

-vs-

The Managing Director,
The Tamil Nadu Hand Loom Weavers'
Co-operative Society Ltd (Co-optex),
No.350, Pantheon Road,
Egmore,
Chennai-8.

..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 to pay the retirement and other benefits payable to the petitioner pursuant to the voluntary retirement of the petitioner from service with effect from 31.3.2005 together with interest.

For Petitioner - Mr.G.Saravanan

For Respondent - No Appearance

ORDER

The relief sought for in this writ petition is for a direction to direct the respondent to pay the retirement and other benefits payable to the writ petitioner pursuant to the voluntary retirement.

2. The learned counsel, appearing on behalf of the writ petitioner, states that the writ petitioner was already retired from service and the terminal and pensionary benefits due to the petitioner have not been settled in time. However, the writ petitioner came to understand that on account of certain charges and allegations set out against the writ petitioner, the retirement and pensionary benefits have not been settled.

3. The writ petitioner is of the opinion that all those allegations are settled even before his retirement and therefore, no allegations are pending after retirement. Such being the case, this Court is of the opinion that it is for the writ petitioner to submit all the relevant documents in respect of the allegations set out by the respondent and plead his innocence in this regard and on verification of all such records and the materials available with the respondent, a decision is to be taken and an order is to be passed in respect of the settlement of the retirement and terminal benefits.

4. In this regard, the writ petitioner is at liberty to submit a representation along with the documents to the respondent, within a period of two weeks from the date of receipt of a copy of this order and on receipt of the same, the respondent is directed to consider the matter on merits and in accordance with law and pass orders, within twelve weeks thereafter.

5. Accordingly, the writ petition stands disposed of. However, there shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

-s/d-

Deputy Registrar

True Copy

Sub-Assistant Registrar

Svn

To

The Managing Director,
The Tamil Nadu Hand Loom Weavers'
Co-operative Society Ltd (Co-optex),
No.350, Pantheon Road,
Egmore,
Chennai-8.

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SP(18/12/2017)