

IN THE HIGH COURT OF JUDICATURE OF MADRAS

Date: 20.07.2017

CORAM

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P. No.7233 of 2015

K. Krishnan

...Petitioner

...Vs...

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

...Respondent

Prayer: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondent to pay the retirement benefits to the petitioner along with 24 % interest from the date of retirement and consequently direct the respondent to pay the regular pension to the petitioner.

For Petitioner : Mr. K.Sasindran

For Respondent : Mr. K.Dhanajeyan
Government Advocate.

O R D E R

The relief sought for in this writ petition is for a direction to permit the respondent to pay the retiral benefits due to the petitioner along with interest.

2. The writ petitioner was holding the post of Khadi Assistant Gr.I and retired from service on account of attaining the age of superannuation with effect from 31st August 2001. The order of allowing the writ petitioner to retire from service was issued in proceedings dated 28th August 2009. However, in the order of retirement, it has been stated that the petitioner has to remit certain dues to the board, which were not recovered from him and only the said amounts was ordered to be recovered by way of the order impugned in this writ petition. In spite of pending dues, the writ petitioner was allowed to retire.

3. The learned counsel for the writ petitioner contended that for the last 8 years, the retirement benefits of the

petitioner have not been paid and no disciplinary proceedings are pending against the writ petitioner. In this regard, the writ petitioner has submitted representations on various dates i.e., on 18.03.2013, 24.06.2013, 08.07.2013, 21.10.2013, 09.12.2013, 11.09.2014, 14.02.2015, inspite of several representations, till date no decision has been taken nor the retiral benefits are paid to the writ petitioner.

4. Thus, this Court is of the opinion that a direction to consider the representation will serve the purpose at this point of time, since, no disciplinary proceeding is pending against the writ petitioner.

5. Accordingly, the respondent is directed to consider the representations submitted by the writ petitioner i.e., on 18.03.2013, 24.06.2013, 08.07.2013, 21.10.2013, 09.12.2013, 11.09.2014, 14.02.2015, and pass final orders on merits in accordance with law, within a period of eight weeks from the date of receipt of a copy of this order. The writ petitioner is directed to enclose the copy of the representations along with the order passed today in this writ petition.

6. Accordingly, this writ petition stands disposed off. There is no order as to costs.

Sd/-
Asst.Registrar

/true copy/

Sub Asst. Registrar

rkp

To

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

+1cc to Mr.K.Sasindran, Advocate Sr. 51277

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EV(CO)
VR(17/8/2017)