

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 24.11.2017

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THE HONOURABLE Mr.JUSTICE S.M.SUBRAMANIAM

W.P.No.18991 of 2010
and M.P.No.1 of 2011

V.M.Shanmugam

... Petitioner

Vs

The Chairman and Managing Director,
Tamil Nadu Leather Corporation,
Office of Industries Commissioner and
Director of Industries and Commerce,
Chepauk, Chennai-5.

... Respondent

Writ Petition filed under Article 226 of The Constitution of India praying to issue a Writ of Mandamus to direct the respondent to sanction pensionary benefits and also the arrears pending with the respondent as per the letter of respondent dated 09.02.2007 in R.C.No.005/TALCO/ ADMN/02 with 18% of interest.

For Petitioner : Mr.A.R.Nixon

For Respondent : Mr.V.R.Kamalanathan

O R D E R

The relief sought for in this writ petition is to direct the respondent to sanction pensionary benefits and also arrears pending with the respondent as per the respondent's letter dated 09.02.2007.

2.On a perusal of the letter dated 09.02.2007 issued by the Chairman and Managing Director, Tamil Nadu Leather Development Corporation Limited to the Special Officer, Chief Minister's Special Cell, Secretariat, it is informed that disciplinary action has been initiated against Thiru.V.M.Shanmugam, Assistant, for the shortage of leather and final orders have not been passed so far. As soon as the final orders are passed, all terminal benefits to the individual will be released.

3.Now, the learned counsel appearing on behalf of the respondents submitted a copy of the final order passed in the disciplinary proceedings in Rc.No.679/TALCO/2014 dated 08.01.2015.

4.On a perusal of the order, it is seen that the disciplinary proceedings initiated against the petitioner has been concluded and a final order has been passed. It is for the writ petitioner to approach the competent authority, in respect of settlement of all the dues.

5.Learned counsel appearing for the respondent further states that the terminal and retirement benefits also settled to the petitioner. If any grievance exists, it is left open to the writ petitioner to approach the competent authority by way of representation and the competent officials are at liberty to consider the same in accordance with rules. In this view of the fact, no further adjudication requires in this writ petition and accordingly, the writ petition stands closed. There is no order as to Costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar (CS-)

//True Copy//

Sub Assistant Registrar

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To
The Chairman and Managing Director,
Tamil Nadu Leather Corporation,
Office of Industries Commissioner and
Director of Industries and Commerce,
Chepauk, Chennai-5.

+1cc to Mr.V.R.KAMALANATHAN Advocate, S.R.No. 83850
+1cc to Mr.AR.NIXON Advocate, S.R.No. 84094

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KS(CO)
TR(14/12/2017)