

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04.07.2018

CORAM

THE HONOURABLE MR.JUSTICE SATRUGHANA PUJAHARI

W.P.No.16475 of 2018

and

WMP.No.19689 of 2018

1.A.Saroja
2.N.Irulandi
3.N.M.Venkateswaran
4.P.Krishnasamy
5.P.Chinnayya
6.S.Pooranam
7.R.Dharma
8.P.Alagar
9.N.K.Nagarajan
10.S.Mariajohn Kulas
11.Rajendran

.... Petitioners

..vs..

1. The State of Tamil Nadu
Rep. by its Secretary to Government
Food Corporation and Consumer Protection
Department,
Fort St. George,
Chennai-9.

2. Tamil Nadu Civil Supplies Corporation Limited,
Rep. by its Chairman cum Managing Director,
42, Thambuswamy Road,
Chennai-10

... Respondents

Prayer:- Writ Petition filed under Article 226 of the Constitution of India praying for a writ of Certiorarified mandamus to call for the records in the proceedings Proc.No.AE3/23706/2007 dated 05.04.2007 on the file of 2nd respondent and quash the same in so far as it has deprived the petitioners of their medical allowance, washing allowance, Tea and Dust allowances, surrender of Earned Leave and Encashment of earned leave on Death/retirement, Leave Travel concession and appointment on compassionate ground in case of an employee who dies while in service and consequently restore the benefits with all attendant benefits from the date of regularization.

For Petitioners : Mr.G.Rajan

For Respondents : Mr.L.P.Shanmugasundram

ORDER

This Writ Petition has been filed challenging the proceedings of the second respondent in Proc.No.AE3/23706/2007 dated 05.04.2007 wherein the second respondent has deprived the petitioners of their medical allowance, washing allowance, Tea and Dust allowances, surrender of Earned Leave and Encashment of earned leave on Death/retirement, Leave Travel concession and appointment on compassionate ground in case of an employee who dies while in service and consequently restore the benefits with all attendant benefits from the date of regularization and to quash the same.

2. Mr.L.P.Shanmugasundram, learned counsel takes notice on behalf of the respondents.

3. By consent of both sides, this Writ Petition is taken up and disposed of at the stage of admission itself.

4. Though the relief sought for in this Writ Petition is for a larger relief, the learned counsel for the petitioners during the course of arguments submitted that the petitioners have made a representation to the respondents on 04.01.2018, stating that the similarly placed persons to that of the petitioners having been extended the benefits of medical allowance, washing allowance, surrender of earned leave allowance, encashment of earned leave on death/retirement, leave travel concession etc., by this Court in W.P.No.10108 of 2008 dated 11.03.2014 and prayed that the said benefits may be extended to the petitioner also and as such the respondent may be directed to dispose of their such representation within a stipulated period in accordance with law.

5. The learned counsel who accepts on behalf of the respondents would submit that it is not known whether the petitioners case has been covered by the aforesaid decision but if such representation is pending, the respondents shall have no objection to consider and dispose of the same, within a stipulated period.

6. Considering the limited relief sought for by the learned counsel for the petitioner, during the course of arguments, this Writ Petition is disposed of with a direction to the second respondent to take a informed and considered decision on the representation of the petitioner dated 04.01.2018, if the same

is pending, on merits and in accordance with law, if there is no legal impediment, within a period of eight weeks from the date of receipt of a copy of this order. However, this Court has not expressed any opinion on the merits of the representation. No costs. Consequently, connected Miscellaneous petition is closed.

Sd/-
Assistant Registrar(CS V)

//True Copy//

Sub Assistant Registrar

arr
To

1. The Secretary to Government
Food Corporation and Consumer Protection
Department,
Fort St. George,
Chennai-9.
2. The Chairman cum Managing Director,
Tamil Nadu Civil Supplies Corporation Limited,
42, Thambuswamy Road,
Chennai-10.

+1cc to the Government Pleader Sr.43628
+1cc to L.P.Shanmugasundaram, Advocate Sr.44158
+1cc to Mr.G.Rajan, Advocate Sr.43428

सत्यमेव जयते

WP.No.16475 of 2018

srg 6/8/2018

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