

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 10-08-2018

CORAM

THE HONOURABLE MR. JUSTICE S.M.SUBRAMANIAM

W.P.No.4538 of 2018

M.Muthudurai

.. Petitioner

Versus

The Tamil Nadu Civil Supplies Corporation Ltd.,
Represented by its Senior Regional Manager,
Chennai South Region,
Chennai-86.

.. Respondent

PRAYER: 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 dispose of the representation dated 21.12.2017 preferred by the petitioner seeking release of the terminal benefits.

For Petitioner : Mr.S.Vankataraman

For Respondent : Mr.L.P.Shanmugasundaram,
Special Government Pleader (Co-op.).

O R D E R

The relief sought for in the present writ petition is for a direction to direct the respondent to dispose of the representation submitted by the writ petitioner on 21.12.2017.

2. The learned counsel, appearing on behalf of the writ petitioner, made a submission that the writ petitioner joined the services of the Corporation as a Bill Clerk on 18.2.1982. On account of certain allegations, the writ petitioner was removed from service. Challenging the same, the writ petitioner filed a writ petition in WP No.25895 of 2011 and the said writ petition was dismissed by this Court on 3.2.2017. Subsequently, the writ petitioner made a representation on various dates on 12.4.2017, 12.10.2017 and on 21.12.2017, to settle the service benefits as applicable under the Rules.

3. This Court is of an opinion that even an employee was removed from service, he is entitled to claim his contributions and other eligible benefits as per the Rules in force. Thus,

there is no impediment for the respondent to settle those dues for which the writ petitioner is eligible and entitled.

4. In this view of the matter, without going into the merits of the issues, the respondent is directed to consider the representation submitted by the writ petitioner on 21.12.2017 and pass orders on merits and in accordance with law, within a period of twelve weeks from the date of receipt of a copy of this order. The writ petitioner is directed to enclose the copy of the representation and all other relevant documents along with the order passed in this writ petition.

5. Accordingly, the writ petition stands disposed of. However, there shall be no order as to costs.

Sd/-
Assistant Registrar (CS-IX)

// True Copy//

Sub Assistant Registrar

To

The Senior Regional Manager,
Tamil Nadu Civil Supplies Corporation Ltd.,
Chennai South Region,
Chennai-86.

+1cc to Mr.S.Venkataraman, Advocate SR.No.55526
+1cc to Mr.L.P.Shanmugasundaram, Advocate SR.No.55823

WP.4538 of 2018

MR (CO)
SMI/30.08.2018

सत्यमेव जयते

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