



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

**DATED: 09.07.2018**

CORAM

WEB COPY

**THE HON'BLE MR.JUSTICE R.SURESH KUMAR**

**W.P. (MD) No.12646 of 2018**

A.Kanthimathinathan

... Petitioner

-vs-

1. The Managing Director,  
Tamilnadu Warehousing Corporation  
Guindy, Chennai.

2. The General Manager,  
Tamilnadu Warehousing Corporation  
Guindy, Chennai.

.. Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus to direct the 1<sup>st</sup> respondent to consider the representation by the petitioner dated 14.05.2018 and to disburse the balance retirement benefit amount Rs.2,75,460.00 (Two lakh seventy five thousand four hundreds sixty only) within a stipulated time limit.

For Petitioners: Mr.M.vivekanandan

For Respondents: Mr.M.Rajarajan  
standing counsel

**ORDER**

The prayer sought for in this writ petition is for a writ of Mandamus to direct the 1<sup>st</sup> respondent to consider the representation by the petitioner dated 14.05.2018 and to disburse the balance retirement benefit amount Rs.2,75,460.00 (Rupees Two lakhs seventy five thousands four hundreds sixty only) within a stipulated time limit.

2. Heard the learned counsel for the petitioner and the learned standing counsel for the respondent Corporation.

3. The petitioner was working at the respondent Corporation as Senior Regional Manager and retired from service on superannuation on 30.04.2014. When the respondents pay the retiral benefits to the petitioner, a part of the encashment of earned leave salary to the extent of Rs.2,75,460.00/- was withheld and has not been paid. In order to get the said amount, the petitioner has been giving number of representations to the respondents, especially, the second respondent and last such representation was given by the petitioner on 14.05.2018.



However, since no representation yielded any desired results, the petitioner has approached this Court.

4. The learned counsel for the petitioner would submit that, if a direction is issued by this Court to the respondents, especially, the second respondent to consider the representation of the petitioner and pass orders thereon on merits within a time frame, the petitioner would be satisfied.

5. I have heard the learned standing counsel for the respondent, who would submit that, the said representation of the petitioner, dated 14.05.2018, would be considered by the second respondent on merits and an order to that effect would be passed within a time frame.

6. Considering the said submissions made by both sides, taking into account the limited scope of the writ petition, this Court is inclined to pass the following order:

"that the second respondent is directed to consider the representation of the petitioner dated 14.05.2018 on merits and in accordance with law and pass orders thereon with regard to the grievance of the petitioner for payment of Rs.2,75,460/- as claimed to have been withheld by the respondents, as part of encashment of earned leave salary and such order shall be passed within a period of six weeks from the date of receipt of a copy of this order".

7. With the above direction, this writ petition is disposed of. No costs.

Sd/-

Assistant Registrar (RTI)

// True Copy //

Sub Assistant Registrar(CS-I)

To:

1. The Managing Director,  
Tamilnadu Warehousing Corporation Guindy, Chennai.
2. The General Manager,  
Tamilnadu Warehousing Corporation Guindy, Chennai.

+1 CC To MR.M.RAJARAJAN, Advocate SR. NO. 71845

+1 CC To MR.M.VIVEKANANDAN, Advocate SR. NO. 72050

**W.P. (MD) No.12646 of 2018**

**09.07.2018**

**RR**