



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 29.01.2018

CORAM

WEB COPY

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P. (MD) No.19953 of 2014

N.Sreekandanthamby

... Petitioner

Vs.

The Chairman and the Managing Director,
Tamil Nadu Warehousing Corporation,
No.82, Annasalai,
Gunidy, Chennai-32.

... Respondent

Prayer : Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the respondent to disburse a sum of Rs.49,402/- of the petitioner's salary benefit, which was withheld by the respondent without assigning any valid reason vide the petitioner's representation which was given on 07.10.2014 and to consider the same within a time frame as fixed by this Court.

For Petitioner	: Mr.D.Saravanan
For Respondent	: Mr.J.Gunaseelan Muthiah Additional Government Pleader

ORDER

Heard the learned counsel on either side.

2.By consent of both the parties the main Writ Petition is taken up for final disposal.

3.The petitioner was working as a Regional Manager in the respondent Corporation. He reached the age of superannuation on 30.06.2008. A sum of Rs.49,402/- was withheld, while disbursing his retiral benefits. The petitioner was informed that the said sum has been withheld, since the petitioner had to reimburse the storage loss caused to the Corporation. It is the specific stand of the petitioner that no order was passed to fasten such a liability on the petitioner. The petitioner submitted a representation in this regard on 18.09.2014. Since no action was taken, the present Writ petition came to be filed.



4.It is seen that without passing any formal order, the said amount has been withheld. This is clearly un-reasonable.

5.Therefore, the respondent is directed to disburse the said amount of Rs.49,402/- to the petitioner without any further delay and in any event within a period of eight weeks from the date of receipt of a copy of this order.

6.The Writ Petition stands allowed. No costs.

Sd/-
Assistant Registrar (RTI)

/True Copy/

Sub Assistant Registrar

To

The Chairman and the Managing Director,
Tamil Nadu Warehousing Corporation,
No.82, Annasalai,
Gunidy, Chennai-32.

+ 1 CC TO Mr.D.SARAVANAN, ADVOCATE IN SR No. 44519
+ 1 CC TO SPECIAL GOVERNMENT PLEADER IN SR No. 45187

TSG
TE/SV-MMS/SAR-4 : 15/02/2018 : 2P/4C

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