

HONOURABLE SRI JUSTICE ABHINAND KUMAR SHAVILI

WRIT PETITION No.39520 OF 2018

ORDER:

1. This writ petition is filed seeking to issue a writ of Mandamus declaring the action of the respondents in not releasing the petitioner's retirement benefits in spite of his entitlement and eligibility, as arbitrary and illegal, and consequently, to direct the respondents to release the petitioner's retirement benefits upto 31.7.2018 along with 18% interest.

2. Heard Sri Ch. Satish Kumar, learned Counsel for the petitioner and Sri Seena Kumar, learned Counsel for the respondents Nos.3 to 5.

3. It has been submitted by the petitioner that he was appointed as office subordinate in the respondent-Corporation on 8.7.1987 and he discharged his duties to the best satisfaction of everyone. It has been further submitted by the petitioner that he retired from service on 31.7.2018 on attaining the age of superannuation but the respondents have not settled his terminal benefits and that the 4th respondent-Executive Engineer submitted proposals to the 3rd respondent-Managing Director on 26.7.2018 recommending to release retirement benefits of the petitioner, but in spite of such proposals submitted by the 4th respondent, the 3rd respondent is not

releasing the retirement benefits of the petitioner, and that the petitioner submitted representations to the respondents dated 13.7.2018 and 9.10.2018, but the respondents have not passed any orders on the said representations.

4. The learned Standing Counsel for respondents Nos.3 to 5 contended that appropriate orders will be passed on the representation submitted by the petitioner in accordance with law.

5. This Court having considered the rival submissions made by the parties is of the view that this writ petition can be disposed of directing the respondents to consider the representation of the petitioner dated 9.10.2018 and pass appropriate orders.

6. Accordingly, the Writ Petition is disposed of directing the respondents to consider the representation of the petitioner dated 9.10.2018 and pass appropriate orders within a period of four weeks from the date of receipt of a copy of this order by duly taking into account the letter of the 4th respondent- Executive Engineer dated 26.7.2018. No costs. Consequently, miscellaneous petitions pending, if any, shall stand closed.

JUSTICE ABHINAND KUMAR SHAVILI

Dated:2nd November, 2018.
Nn.

HONOURABLE SRI JUSTICE ABHINAND KUMAR SHAVILI

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2/11/2018

Nn.