

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATE : 18.09.2019

CORAM :

THE HONOURABLE MR.JUSTICE SUBRAMONIUM PRASAD

W.P.No.12805 of 2010
and M.P.No.2 of 2010

S.Ananda Valli

... Petitioner

Vs

The Secretary to Government of Tamil Nadu,
Agriculture Department,
Secretariat,
Chennai - 600 009.

... Respondent

Prayer : Writ Petition is filed under Article 226 of the Constitution of India, for issuance of a Writ of Certiorarified Mandamus, praying to call for the records of impugned order passed by the Managing Director of Formerly Tamil Nadu Agro Industries Development Corporation Limited, Chennai - 32, in proceedings No.4700/P&A3/98, dated 18.03.2002 now all under the custody of the respondent herein and to quash the same and consequently direct the respondent herein to grant all service and retirement benefits for the petitioner's husband and given to all other

employees of the Tamil Nadu Agro Industries Corporation on its closure.

For Petitioner : Mr.M.Abdul Razack

For Respondent : Ms.K.Bhuvaneswari
Additional Government Pleader
for R1 and R2

ORDER

The prayer in the writ petition is to issue a Writ of Certiorarified Mandamus, praying to call for the records of impugned order passed by the Managing Director of Formerly Tamil Nadu Agro Industries Development Corporation Limited, Chennai - 32, in proceedings No.4700/P&A3/98, dated 18.03.2002 (now all under the custody of the respondent herein), to quash the same and to consequently direct the respondent herein to grant all service and retirement benefits for the petitioner's husband and given to all other employees of the Tamil Nadu Agro Industries Corporation on its closure.

2. The petitioner's husband viz., Mr.M.R.Gopal, worked as Mechanic in the Madurangam Sub Centre of Tamil Nadu Agro Industries Development Corporation Limited. A charge memo was issued to him

along with two other persons. The misappropriation was denied and the Criminal Proceedings were also initiated in the Judicial Magistrate No.II, Chengalpattu. During the pendency of the criminal proceedings, further enquiry was initiated against the petitioner and the charges were proved and the petitioner was dismissed from service. However, the criminal proceedings ended in acquittal of her husband. Against the order of dismissal of service, the petitioner has filed a representation before the Appellate Court/Secretary to the Government. The said appeal / representation is still pending. The petitioner has left behind two daughters.

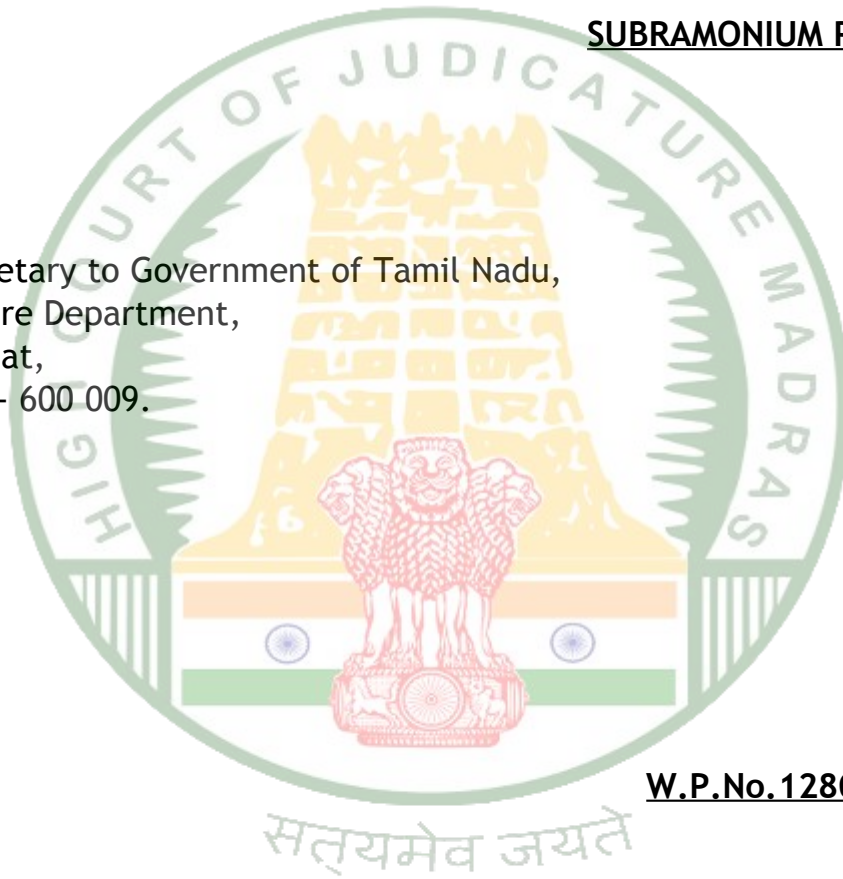
3. In view of the fact that the representation to the Government is still pending, the writ petition is disposed of, directing the 1st respondent to consider the representation and pass appropriate orders, by taking note of the fact that the criminal case against the petitioner was ended in acquittal, and the fact that the petitioner has got two unmarried daughters. No costs. Consequently, connected miscellaneous petition is closed.

18.09.2019

Index : Yes / No
Internet : Yes / No
Speaking/ Non Speaking Order
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SUBRAMONIUM PRASAD, J.
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To
The Secretary to Government of Tamil Nadu,
Agriculture Department,
Secretariat,
Chennai - 600 009.



W.P.No.12805 of 2010

WEB COPY

18.09.2019

W.P.No.12805 of 2010**SUBRAMONIUM PRASAD, J.**

Today, the matter is listed under the caption "for being mentioned".

2. It is brought to the notice of this Court that some typographical error has been crept in para No.2 of the order dated 18.09.2019 and the same shall be replaced as follows:

" 2. The petitioner's husband viz., **Mr.P.Srinivasan**, worked as Mechanic in the Madurangam Sub Centre of Tamil Nadu Agro Industries Development Corporation Limited. A charge memo was issued to him along with two other persons. The misappropriation was denied and the Criminal Proceedings were also initiated in the Judicial Magistrate No.II, Chengalpattu. During the pendency of the criminal proceedings, further enquiry was initiated against the petitioner and the charges were proved and the petitioner was dismissed from service. However, the criminal proceedings ended in acquittal of her husband. Against the order of dismissal of service, the petitioner has filed a representation before the Appellate Court/Secretary to the Government. The said appeal / representation is still pending. The petitioner has left behind two daughters."

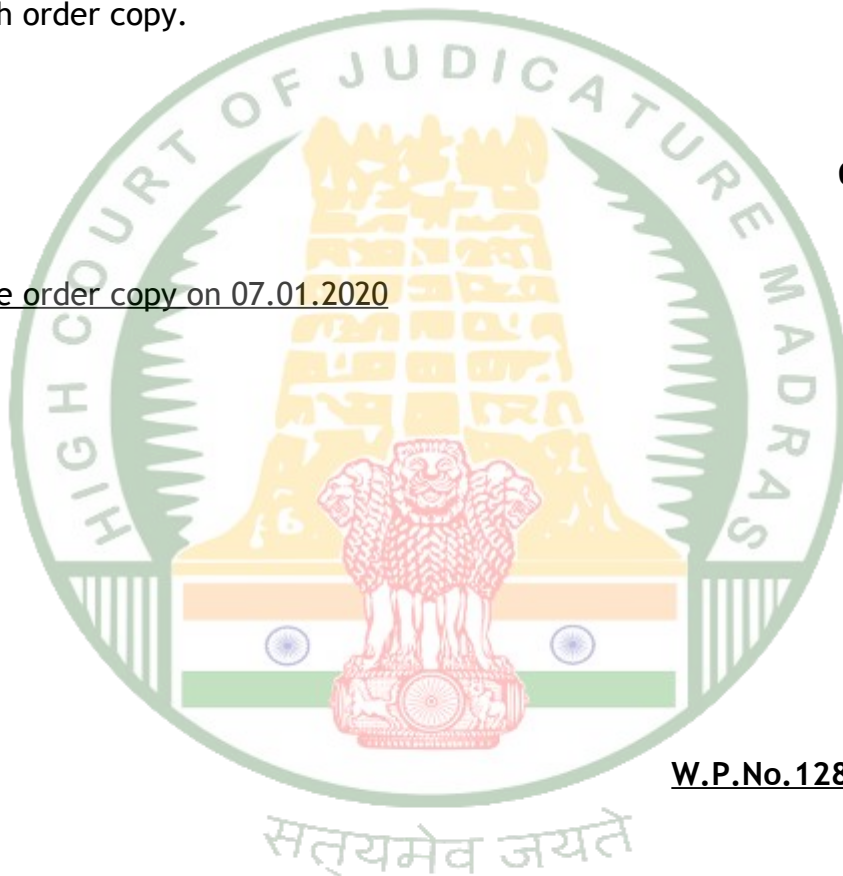
SUBRAMONIUM PRASAD, J.
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3. Registry is directed to carry out necessary correction in the order and issue fresh order copy.

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Note: Issue order copy on 07.01.2020

02.01.2020



W.P.No.12805 of 2010

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03.01.2020