

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED: 25.01.2019

CORAM:
THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR

WP.No.21748 of 2011

S.Mayandi

... Petitioner

Vs

1.The Managing Director
Tamil Nadu Civil Supplies Corporation
Head Office,
12, Thambusamy Road
Kilpauk, Chennai-600 010

2.The Regional Manager
Tamil Nadu Civil Supplies Corporation
Chennai South Region
No.7, Conran Smith Road
Gopalapuram
Chennai-600 086

... Respondents

Prayer:- This Writ Petition is filed, under the Article 226 of Constitution of India, to issue a writ of Mandamus directing the respondents to disburse the terminal benefits including gratuity and pension to the Petitioner.

For Petitioner : Mr.S.S.Swaminathan

For Respondents : Mr.C.Munusamy
for Civil Supplies Corporation
for R1 and R2.

ORDER

This Writ Petition is filed praying to direct the respondents to disburse the terminal benefits including gratuity and pension to the Petitioner.

2. It is averred by the Petitioner that he worked as a Junior Assistant in the Tamil Nadu Civil Supplies Corporation, Chennai South Region and retired from service on 31.01.2010 on attaining the age of superannuation. It is further averred that the 2nd respondent issued a charge memo dated 10.10.2007 and thereafter, enquiry was conducted. After enquiry, the 2nd respondent held that charges were proved and by order dated 17.06.2009 imposed stoppage of increment for two years with cumulative effect without prejudice to recovery of losses sustained to the respondent Corporation. The Petitioner

preferred appeal on 18.09.2009 and the same was rejected by order dated 01.02.2011. According to the Petitioner, the respondents failed to disburse the terminal benefits including the gratuity and pension till date. The Petitioner made a representation to the 2nd respondent on 11.10.2010 seeking for disbursement of gratuity and other terminal benefits.

3. The learned counsel for the Petitioner submits that the Petitioner made representation dated 11.10.2010 to the 2nd respondent and representation dated 14.07.2011 to the 1st respondent, but so far, no order is passed.

4. The learned counsel for the Respondents would submit that if the said representations are still pending, the same will be considered and orders will be passed on merits.

5. Considering the above submission, the 1st respondent is directed to consider the Petitioner's representation dated 14.07.2011 on merits and in accordance with law, within a period of four weeks from the date of receipt of a copy of this order, if no final order is passed till date. Needless to state that the Petitioner shall send a copy of the representation dated 14.07.2011 to the 1st respondent along with a copy of this order, immediately on receiving the copy of this order.

6. The Writ Petition is disposed of with the above direction. No costs.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

nvsri

To

1.The Managing Director
Tamil Nadu Civil Supplies Corporation
Head Office,
12, Thambusamy Road
Kilpauk, Chennai-600 010

2.The Regional Manager
Tamil Nadu Civil Supplies Corporation
Chennai South Region
No.7, Conran Smith Road
Gopalapuram
Chennai-600 086

+1cc to Mr. C.Munusamy, Advocate, S.R.No.6009
+1cc to Mr.S.S.Swaminathan, Advocate, S.R.No.5897

WP.21748 of 2011

PVS (CO)

rrs



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