IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.09.2019

CORAM

THE HONOURABLE Mr. JUSTICE M. DHANDAPANI

W.P.No.13999 of 2019

C.M.B. Rajarajan ... Petitioner

vs

1.The State of Tamil Nadu
rep.by its Principal Secretary to Government,
Housing and Urban Development Department,
Fort St. George,
Chennai - 600 009.

2.The Managing Director,
Tamil Nadu Housing Board,
493, Anna Salai,Nandanam,
Chennai - 600 035. ... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the second respondent to dispose the representation sent by him dated 24.09.2018 to the second respondent relating to the grant of all his terminal benefits, provident fund, gratuity, pension, arrears of salary and other monetary benefits.

For Petitioner : Mr.P. Gunaram

For Respondents : Mr.R.S. Selvam,
Government Advocate
for R1

Mr.R. Bharathkumar for R2

ORDER

This petition has been filed to direct the second respondent to dispose the representation sent by him dated 24.09.2018 relating to the grant of all his terminal benefits, Provident Fund, Gratuity, Pension, Arrears of salary and other monetary benefits.

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2.It is the case of the petitioner that the petitioner was appointed as Building Inspector with the 2nd respondent in the year 1979 and subsequently, promoted as Assistant Engineer in the year 1989. Due to family circumstances, he had applied for leave without salary for the period from 1999 in order to acquire an appropriate avocation for his higher study and after getting permission, on 20.05.1999, he was relieved on 21.05.1999. The said leave period was treated as extraordinary leave without pay and on that score only, the petitioner was permitted to take the job in U.S.A. and returned to India and joined the service from 16.09.2002. Thereafter, the petitioner suffered with RHEUMATATOID ARTHRITIS and other ailments in which the petitioner undergone prolonged treatment. The petitioner claims that he has more than 20 years of eligible regular service and entitled for all terminal benefits. Thereafter, he attained the age of superannuation on 31.08.2013. The petition claims that he have more 20 years of eligible regular Service and entitled for all terminal benefits. Hence, the petitioner submitted his representation to the respondent on 24.09.2018 but the same was not considered till date.

3.The learned counsel for the petitioner would submit that it would be suffice to issue directions to the respondents to dispose of the representation in accordance with law.

4.Considering the facts and circumstances of the case and the limited request made by the learned counsel for the petitioner, I am inclined to issue direction to the respondents to dispose of the representation dated 24.09.2018, if not disposed already within a period of twelve (12) weeks from the date of receipt of a copy of this order.

With the above direction, the Writ Petition is disposed of. No costs.

Sd/-
Assistant Registrar(CS-III)

//True Copy//

Sub Assistant Registrar

mps

To

1.The Principal Secretary to Government,
State of Tamil Nadu,
Housing and Urban Development Department,
Fort St. George,
Chennai - 600 009.

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2.The Managing Director,
Tamil Nadu Housing Board,
493, Anna Salai,
Nandanam,
Chennai - 600 035.

+1cc to Mr.R. Bharathkumar, Advocate SR.79492
+1cc to Mr.P. Gunaram, Advocate SR.79232
+1cc to the Government Pleader SR.79338

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VGII(CO)
CB(13/12/2019)

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