



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17.12.2019

CORAM

THE HON'BLE MR.JUSTICE K.RAVICHANDRABAABU

W.P.NO.17394 OF 2019

1. R.Venkatesaperumal
S/o.N.Ranganathan
 2. A.Perumal
S/o.Alli Senoor
 3. R.Saravanan
S/o.G.Ramakrishnan
- ... Petitioners

vs

1. The Secretary,
Department of Co-operation, Food and
Consumer Protection,
Government of Tamil Nadu,
Secretariat, Fort St.George,
Chennai - 600 009.
 2. The Chairman cum Managing Director,
The Tamil Nadu Civil Supplies Corporation Ltd.,
No.42, Thambuswamy Road,
Chennai - 600 010.
 3. The Zonal Manager,
The Tamil Nadu Civil Supplies Corporation Ltd.,
Thiruvannamalai District.
- ... Respondents

Writ Petition filed under Article 226 of the Constitution of India praying to issue Writ of Mandamus to direct the respondents to consider the representation dated 07.05.2018 of the petitioners and grant them Medical, Washing and Tea & Dust Allowances, Surrender and encashment of Earned Leave with effect from 05.04.2007 with all attendant benefits in the light of the order passed by this Court in W.P.No.10108 of 2008 dated 11.03.2014.

For Petitioners	:	Mr.Tamilavel.P.
For Respondents	:	Mr.L.P.Shanmugasundaram, Standing Counsel for R1 to R3



O R D E R

These petitioners seek for a Mandamus directing the respondents to consider their representation dated 07.05.2018, wherein they sought for granting Medical, Washing and Tea & Dust Allowances, Surrender and encashment of Earned Leave with effect from 05.04.2007.

2. The petitioners claim to be the Casual Labourers in the 2nd respondent Corporation with effect from 26.06.2000. Thus, the petitioners claim that from the date of regularisation, they were provided with all the benefits such as Medical, Washing and Tea & Dust allowances. It is further stated that suddenly, the 2nd respondent through proceedings dated 05.04.2007 had withdrawn all the above said benefits. It is further stated that the said proceedings of the 2nd respondent dated 05.04.2007 was challenged by similarly placed employees in W.P.No.10108/2008 and the said writ petition was allowed on 11.03.2014. It is further stated that the said order passed in the writ petition was confirmed in Writ Appeal No.924 of 2015 and the S.L.P. filed also came to be dismissed on 16.01.2016. Therefore, these petitioners seek for similar benefits as has been granted to the petitioners in W.P.No.10108/2008. Making such claim, the petitioners have made a representation dated 07.05.2018. The grievance of the petitioners is that the said representation is not considered so far.

3. This Court, at this stage, is not expressing any view on the merits of the claim made by the petitioners, as it is for the 2nd respondent to consider and decide going by the facts and circumstances and also by considering the question of applying the decision made in W.P.No.10108/2008 in the case of these petitioners. Accordingly, this Writ Petition is disposed of only by directing the 2nd respondent to consider the petitioners' representation dated 07.05.2018 and pass orders on the same on merits and in accordance with law within a period of eight weeks from the date of receipt of a copy of this order. No costs.

Sd/-

Assistant Registrar(CS V)

//True Copy//

Sub Assistant Registrar

vsi



To

1. The Secretary,
Department of Co-operation, Food and
Consumer Protection,
Government of Tamil Nadu,
Secretariat, Fort St.George,
Chennai - 600 009.
2. The Chairman cum Managing Director,
The Tamil Nadu Civil Supplies Corporation Ltd.,
No.42, Thambuswamy Road,
Chennai - 600 010.
3. The Zonal Manager,
The Tamil Nadu Civil Supplies Corporation Ltd.,
Thiruvannamalai District.

+lcc to Mr.Tamilavel.P., Advocate, S.R.No.105121
+lcc to Mr.L.P.Shanmugasundaram, Advocate, S.R.No.105399
+lcc to the Special Government Pleader, S.R.No.105266

W.P.No.17394 of 2019

PM(CO)
CS/13/01/2020