

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21.10.2019

CORAM:

THE HON'BLE MR.JUSTICE M.DHANDAPANI

W.P.No.29705 of 2019

M.Nagaraju

...Petitioner

vs.

1.The Secretary to Government,
Agriculture Department,
Fort St.George,
Chennai - 600 009.

2.The Registrar of Agro Engineering Services,
Commissioner of Agriculture,
Chepauk,
Chennai - 600 005.

3.The Deputy Registrar of Agro Engineering Services,
O/o.The Commissioner of Agricultural,
Chepauk,
Chennai - 5.

4.The Liquidator/Deputy Registrar,
Agrofed,
No.55, Thiru Vi Ka Industrial Estate,
Ekkattuthangal,
Chennai - 97.

...Respondents

Prayer: Writ Petition filed under Article 226 of Constitution of India, seeking for the issuance of a Writ of Mandamus, to direct the 4th respondent herein to consider the petitioner's representation dated 08.08.2019 in accordance with law and within a stipulated period.

For Petitioner : Mr.K.Govi Ganesan

For Respondents : Mr.A.N.Thambi Durai
Special Government Pleader

ORDER

The Writ Petition has been filed by the petitioner seeking direction to direct the fourth respondent herein to consider the petitioner's representation dated 08.08.2019 in accordance with law and within a stipulated period.

working as Block Manager at Tamil Nadu Agro Engineering & Service Co-operative Federation Limited and the said Federation was closed under Section 25 FFF of the Industrial Disputes Act, 1947 and an account of closure his service was terminated with effect from 30.11.2004 vide proceedings dated 30.11.2004. The entire salary and other benefits from the date of retrenchment was not paid, hence petitioner along with 29 others filed W.P.No.27973 of 2017 before this Court seeking direction to the Authorities for disbursement of the entire salary and other benefits together with interest from the date of retrenchment i.e., on 30.11.2004 till the date of superannuation of the petitioners along with 6th Pay Commission benefits. This Court by its order dated 27.09.2018, disposed of the writ petition and without going into the merits of the case, issued a direction to the fourth respondent to consider the petitioner representation within a period of four weeks. As per the order of this Court, the first respondent sanctioned Rs.10,55,238/- to the petitioner. However, the first respondent paid Rs.9,01,074/- leaving the balance of Rs.1,54,164/-. Hence, the petitioner made representations on 25.04.2019 and 08.08.2019, requesting to pay the balance disbursement Rs.1,54,164/-. Till date, the representations were not considered. Hence, the petitioner filed a Writ Petition before this Court.

3.The learned counsel appearing for the petitioner would submit that it would suffice if this Court issues direction to the respondent to consider the representations submitted by the petitioner and to dispose of the same within a reasonable time as fixed by this Court.

4.Without going into the merits of the case, I am inclined to issue direction to direct the respondent to consider the representation and pass orders on merits and in accordance with law within a period of 12 weeks from the date of receipt of a copy of this order.

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

Sd/-

Assistant Registrar (CS-VIII)

//True Copy//

Sub Assistant Registrar

pam

To

1.The Secretary to Government,
Agriculture Department,
Fort St.George,
Chennai - 600 009.

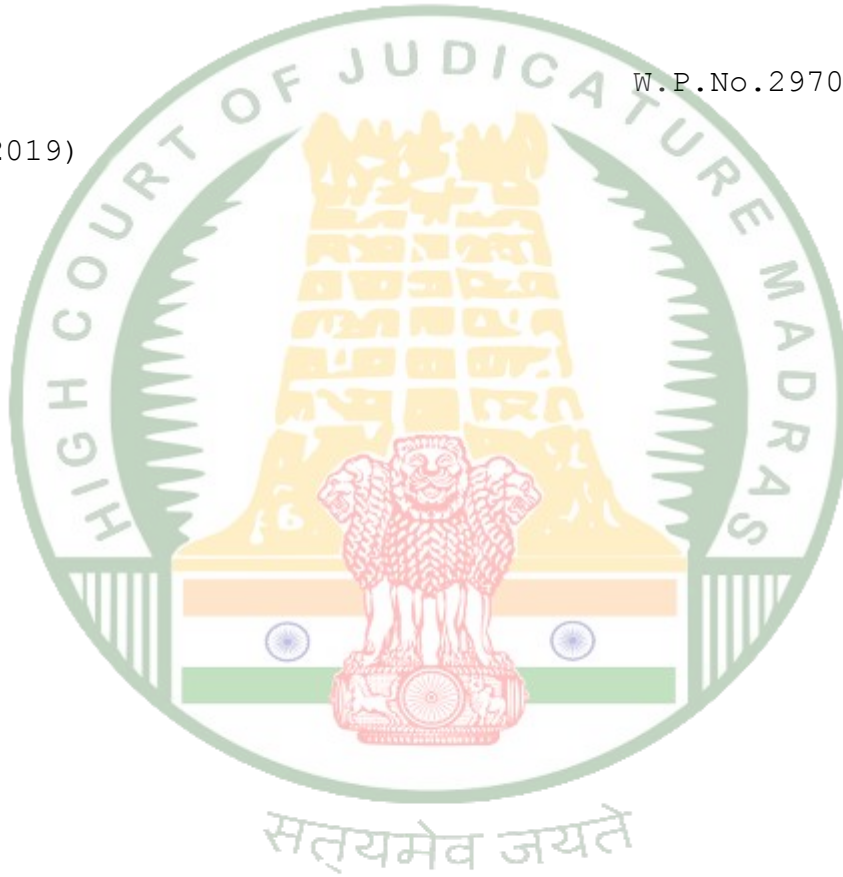
2.The Registrar of Agro Engineering Services,
Commissioner of Agriculture,
Chepauk,
Chennai - 600 005.

3.The Deputy Registrar of Agro Engineering Services,
O/o.The Commissioner of Agricultural,
Chepauk,
Chennai - 5.

+lcc to Mr.K.Goviganesan, Advocate, S.R.No. 87900
+lcc to the Government Pleader, S.R.No. 88224

SAI (CO)
GN(13/11/2019)

W.P.No.29705 of 2019



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