

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18.12.2019

CORAM

THE HON'BLE MR.JUSTICE N.ANAND VENKATESH

W.P.No.35051 of 2019

S.Subbaiyan

... Petitioner

-Vs-

1. The Commissioner,
Milk Production and Dairy Development Department,
Madhavaram Milk Colony,
Chennai 600 051.
 - 2.The Managing Director,
Tamil Nadu Co-op. Milk Producers Federation Ltd.,
Nandanam,
Chennai-35.
 - 3.Trichirapalli District Co-op. Milk Producers Union Ltd.,
represented by its General Manager,
Kottappattu, Pudukkottai Road,
Trichy-23.
- ... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the 1st respondent to dispose of the petitioner Revision Petition filed on 20.07.2019 and for directing the 2nd respondent settle all the terminal benefits and pay subsistence allowance.

For Petitioner : Ms.M.E.Raniselvam
For Respondents : Mr.L.P.Shanmugasundaram
Special Government Pleader
(Co-operative Societies)

ORDER

This writ petition has been filed for issuance of Writ of Mandamus directing the first respondent to dispose of the Revision Petition that was filed by the petitioner on 20.07.2019, claiming for terminal benefits and for payment of subsistence allowance.

2.The case of the petitioner is that he was working as General Manager in the second respondent Co-Op. Milk Producers Federation Ltd., and he was placed under suspension in the year 2008 pending departmental proceedings. The petitioner attained the age of superannuation and the petitioner was not allowed to retire by virtue of proceedings dated 30.01.2019. The petitioner made a representation requesting for the revocation of the suspension and to pay his subsistence allowance and terminal benefits. The petitioner also filed a revision petition before the first respondent challenging the proceedings extending the suspension period beyond the retirement of the petitioner. Since this revision petition has not been taken up for hearing, the present petition has been filed seeking for appropriate directions.

3.Heard the learned counsel on either side and perused the material available on record.

4.Taking into consideration the facts and circumstances of the case and the limited relief that has been sought for in the present writ petition, there shall be a direction to the first respondent to dispose of the revision petition filed by the petitioner on 20.07.2019, on its own merits and in accordance with law, strictly within a period of six weeks from the date of receipt of copy of this order. The petitioner is directed to make a fresh representation to the first respondent along with a copy of the representation dated 20.07.2019 and a copy of this order.

5.This writ petition is disposed of with the above directions. There shall be no order as to costs.

Sd/-

Assistant Registrar (CS-VI)

// True Copy//

Sub Assistant Registrar

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To

1. The Commissioner,
Milk Production and Dairy Development Department,
Madhavaram Milk Colony,
Chennai 600 051.

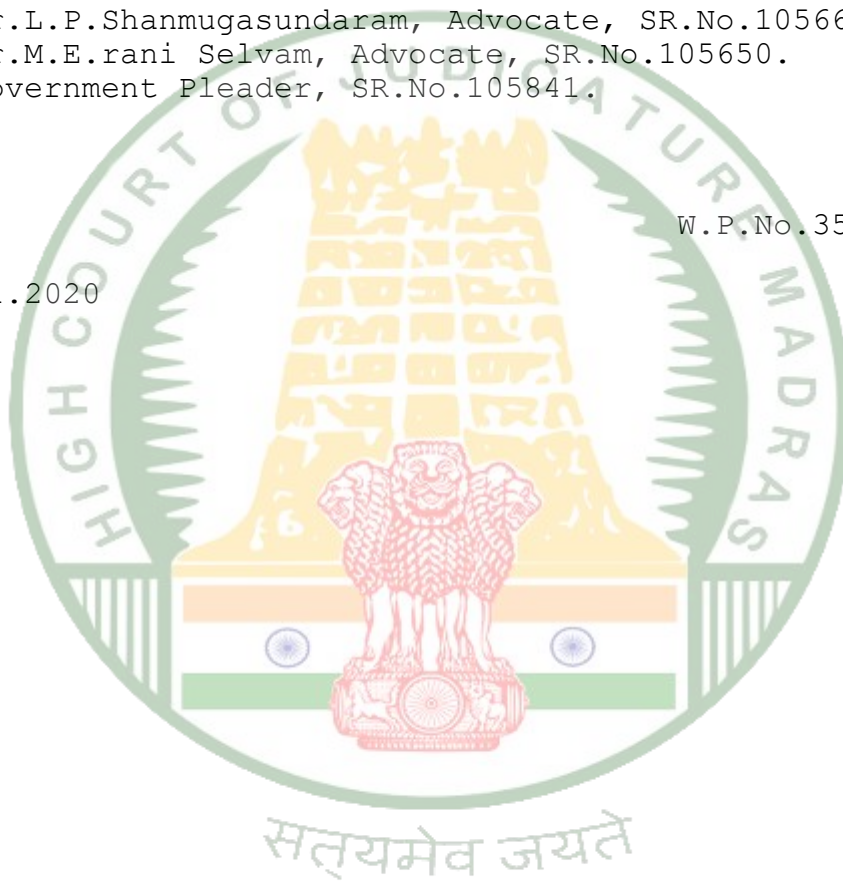
2.The Managing Director,
Tamil Nadu Co-op. Milk Producers Federation Ltd.,
Nandanam,
Chennai-35.

3.Trichirapalli District Co-op. Milk Producers Union Ltd.,
represented by its General Manager,
Kottappattu, Pudukkottai Road,
Trichy-23.

+1cc to Mr.L.P.Shanmugasundaram, Advocate, SR.No.105665.
+1cc to Mr.M.E.rani Selvam, Advocate, SR.No.105650.
+1cc to Government Pleader, SR.No.105841.

KK (CO)
CSR: 31.01.2020

W.P.No.35051 of 2019



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