



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : **19.06.2019**

CORAM:

THE HONOURABLE MR.JUSTICE **D. KRISHNAKUMAR**

W.P (MD) No.13758 of 2019

WEB COPY

N.Anbarasu

... Petitioner

Vs.

1.The Chief Executive Officer,
Tamil Nadu Khadi and Village Industries Board,
Kuralagam,
Chennai - 600 108.

2.The Assistant Director,
Khadi and Village Industries,
Dindigul.

3.The Assistant Director,
Khadi and Village Industries,
Coimbatore.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus directing the respondents 1 and 2 herein to pay Hill allowance and Winter allowance to the petitioner with effect from 19.11.2018 along with arrears by considering his representations dated 10.01.2019 and 04.04.2019 within the time stipulated by this Court.

For Petitioner : Mr.J. Lawrance

For Respondents : Mr. G. Karnan
Standing Counsel

ORDER

This writ petition is filed seeking to direct the respondents respondents 1 and 2 herein to pay Hill Allowance and Winter Allowance to the petitioner with effect from 19.11.2018 along with arrears by considering his representations dated 10.01.2019 and 04.04.2019 within the time stipulated by this Court.

2. Mr.G. Karnan, learned Standing Counsel takes notice for the respondents. By consent, the writ petition is taken up for disposal at the admission stage itself.



3. According to the petitioner, he is an employee of the second respondent Industry. But, he is now working on deputation at Nilgiris District. Since the Nilgiri District is Hill area, it is bounden duty of the second respondent to pay both Hill allowance and Winter allowance to the petitioner, from the date of joining, but, they have not paid the same. Hence, the petitioner has made several representations, dated 10.01.2019, 25.01.2019 and 04.04.2019 respectively, to the respondents, the same was not considered so far. In such circumstances, the petitioner has filed the present Writ Petition before this Court.

4. At the time of hearing, the learned counsel appearing for the petitioner submitted that even though a larger relief is sought for in this Writ Petition, it would suffice, if a direction is issued to the respondents to consider and pass orders on the representation of the petitioner dated 10.01.2019.

5. The learned Standing Counsel appearing for the respondents would submit that the representation of the petitioner will be considered on merits and in accordance with law.

6. Having regard to the scope of the prayer made by the petitioner and considering the submissions made on either side, this Court, without expressing any opinion on the merits of the petitioner's case, directs the first respondent to consider the representation of the petitioner, dated 10.01.2019 on merits and in accordance with law and pass appropriate orders, within a period of eight weeks from the date of receipt of a copy of this order, after affording due opportunity of hearing to the petitioner.

7. With the above direction, the writ petition is disposed of. No costs.

Sd/-

Assistant Registrar (AD-II)

// True Copy //

Sub Assistant Registrar (CS)

To

1. The Chief Executive Officer,
Tamil Nadu Khadi and Village Industries Board,
Kuralagam,
Chennai - 600 108.

2. The Assistant Director,
Khadi and Village Industries,
Dindigul.



3.The Assistant Director,
Khadi and Village Industries,
Coimbatore.

+1 CC to M/s.J.LAWRANCE, Advocate (SR-69983[F] dated 20/06/2019)

+1 CC to M/s.G.KARNAN, Advocate (SR-70089[F] dated 20/06/2019)

TRP

W.P (MD) No.13758 of 2019
19.06.2019

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