

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.12.2020

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.28472 of 2013

S.Chinnamuthu

... Petitioner

Vs.

- 1.The Secretary Government of Tamil Nadu,
Industries Department,
St.George Fort,
Chennai - 9.
- 2.The Commissioner of Sugars and the Registrar of
Co-operative Societies for Co-operative Sugar Mills,
474, Anna Salai,
Nandanam, Chennai - 35.
- 3.The Administrator,
Chengalvarayan Co-operative Sugar Mills Ltd.,
Periya Sevalai, Ulundurpet Taluk,
Villupuram District.
- 4.The Special Officer,
Salem Co-operative Sugar Mills Ltd.,
Mohanur, Namakkal District.
- 5.The Administrator,
NPKRR Sugar Mill,
Thailanayar, Elanthoppu,
Mailaduthurai Taluk,
Nagapattinam District.

... Respondents

Prayer:Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondent to disburse the retirement benefits including gratuity, commutation, EL Surrender, annual increments and other benefits to the petitioner herein with interest at the rate of 12% from the date of retirement i.e., from 31.07.2008 within a stipulated period as fixed by this Hon'ble Court.

For Petitioner : Mr.R.Nalliyappan

For Respondents: Mr.L.P.Shanmugasundaram for R1 & R2
Special Government Pleader (Co-op.)

Mr.R.Bala Ramesh for R3 to R5
Special Government Pleader

O R D E R

The petitioner has filed this writ petition seeking issuance of Writ of Mandamus directing the respondents to disburse the retirement benefits including gratuity, commutation, EL Surrender, annual increments and other benefits to the petitioner with interest at the rate of 12% from the date of retirement i.e., from 31.07.2008 within a stipulated period as fixed by this Court.

2.The case of the petitioner is that though the petitioner retired from service as early as on 31.07.2008, his retirement benefits have not yet been disbursed to him. Hence, this writ petition.

3.The learned counsel appearing for the petitioner would submit that while the petitioner was in service charge memo and surcharge proceedings were initiated against the petitioner, however, all ended in his favour. He would further submit that the petitioner made representation dated 08.05.2012 to the respondents seeking his retirement benefits, however, the same has not yet been disbursed to him. Hence, this Court may pass appropriate orders.

4.The learned Special Government Pleaders would submit that the representation of the petitioner would be considered and if there is no legal impediment, the benefits due to the petitioner would be settled in favour of the petitioner, within a reasonable time frame.

5.In view of the above, this Court directs the respondents 3 to 5 to consider the petitioner's representation dated 08.05.2012 and settle the benefits due to the petitioner, in favour of the petitioner, if there is no legal impediment, within a period of twelve weeks from the date of receipt of a copy of this order.

6.The writ petition is accordingly disposed of. No costs.

-s/d-

Assistant Registrar

True Copy

Sub-Assistant Registrar

To

- 1.The Secretary Government of Tamil Nadu,
Industries Department,
St.George Fort,
Chennai - 9.
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Nagapattinam District.

+2 Ccs to Mr.R.Bala Ramesh, Advocate sr 40167
+1 CC to The Special Government Pleader sr 40065.

W.P.No.28472 of 2013

SR II (CO)
SP(07/01/2021)

सत्यमेव जयते

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