

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.01.2020

CORAM

THE HON'BLE MR.JUSTICE D. KRISHNAKUMAR

W.P.No. 17949 of 2017

S.X.Aveleo

..Petitioner

Vs

1. The Managing Director,
TNCSC Head Office,
12, Thampusamy Road,
Kilpauk, Chennai-10

2.The Senior Regional Manager,
TNCSC Coimbatore Region,
Coimbatore - 641030.

3.The Regional Manager,
TNCSC, Nilgiris Region,
Ooty, The Nilgiris.

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondents to dispose the representation dated 14.02.2017 by way of consider the petitioners back wages of Earned leave and Unearn leave amount withheld for past 4 years may be sanctioned at early date and 18% interest for delayed payment of retired benefits.

For Petitioner : M/s. C.Ananda Ramani

For Respondents : Mr.C.Munusamy, Spl.GP

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O R D E R

The prayer sought for in the Writ Petition is to direct the respondents to dispose the representation dated 14.02.2017 by way of consider the petitioners back wages of Earned leave and Unearn leave amount withheld for past 4 years may be sanctioned at early date and 18% interest for delayed payment of retired benefits.

2. Brief facts leading to the writ petition is that the writ petitioner was worked as Assistant Manager (QC) in the respondent corporation and retired on 30.09.2012. It was informed by the respondent that he had to pay some arrears to the department which arose due to audit objections and holding liable for that arrears amount. The writ petitioner is not responsible for the pending audit objection, because it is the work of the Superintendent, who was posted at that time and worked in the direct control of SRM/Coimbatore. Based on the said allegations, the respondent corporation has not sanctioned the petitioner's back wages of earned leave and Unearned leave amount till date. The petitioner made a detailed representation to the respondents on 14.02.2017. However the same has not been considered till date, hence the present writ petition.

3. Heard the learned counsel for the petitioner and the learned Special Government Pleader appearing for the respondents and perused the documents available on record.

4. The learned counsel appearing for the petitioner submitted that it would suffice, if this Court issues direction to the respondents to consider the petitioner's representation dated 14.02.2017 and pass appropriate orders within the reasonable time as fixed by this Court.

5. Having regard to the submissions made by the learned counsel on either side and taking into consideration the limited prayer sought for in the Writ Petition, without expressing any opinion with regard to the merits of the case, I direct the respondents to consider the petitioner's representation dated 14.02.2017 and pass orders on merits and in accordance with law as expeditiously as possible, preferably, within a period of twelve (12) weeks from the date of receipt of a copy of this order.

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

Sd/-

Assistant Registrar (CCC)

//True Copy//

Sub Assistant Registrar

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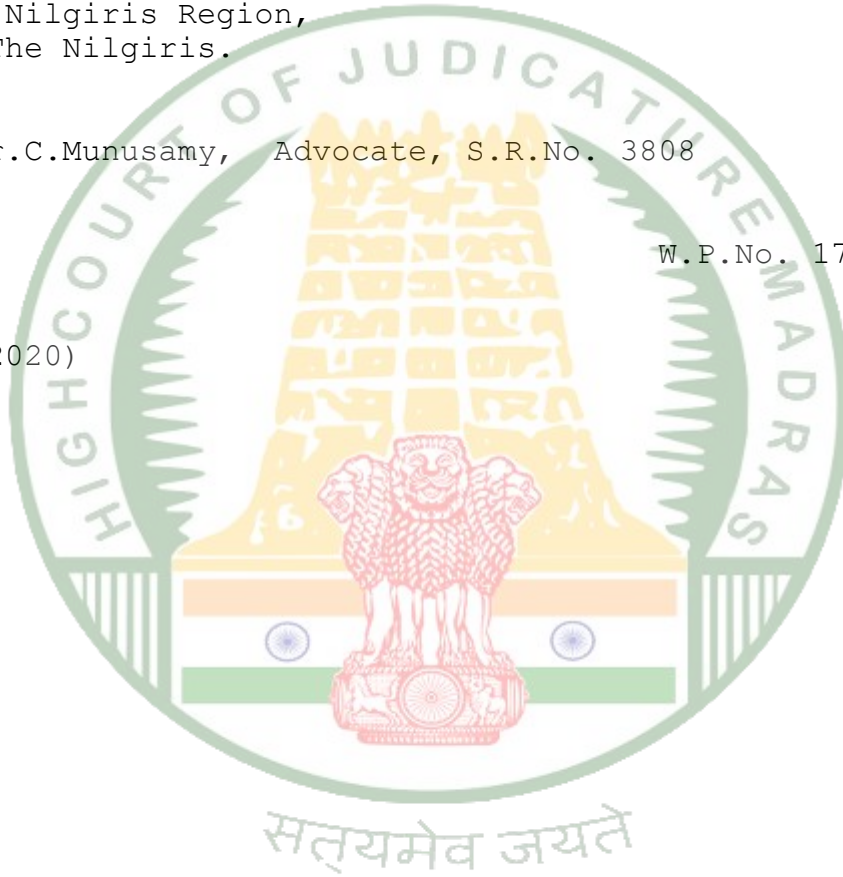
To

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Coimbatore - 641030.
- 3.The Regional Manager,
TNCSC, Nilgiris Region,
Ooty, The Nilgiris.

+1cc to Mr.C.Munusamy, Advocate, S.R.No. 3808

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NRL(CO)
GN(10/03/2020)



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