



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 12.10.2020

CORAM:

**THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM**

W.P. (MD).No.20081 of 2013

S.Abul Kalam Asad

... Petitioner

-Vs-

1.Tamil Nadu Cements Corporation Limited,  
Rep. by its Chairman,  
Chennai.

2.The Deputy General Manager,  
Tamil Nadu Cements Corporation Limited,  
Alangulam, Virudhunagar District.

... Respondents

**Prayer:** Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, to call for the records pertaining to the impugned order passed by the second respondent in Ref.No.01289/PL-1/13, dated 29.06.2013, quash the same in respect of withholding of the retirement benefits of the petitioner and to direct the respondents to disburse the terminal benefits of the petitioner within the time frame fixed by this Court.

For Petitioner : Mr.M.Saravanan

For Respondents : Mr.A.Sivaji

**ORDER**

The relief sought for in the present writ petition is to direct the respondents to disburse terminal benefits of the writ petitioner within a time frame fixed by this Court.

2.The writ petitioner was appointed as a Clerk in Tamil Nadu Cements Corporation Limited and promoted to the higher post at various stages. The writ petitioner retired from service on 30.06.2013 on attaining the age of superannuation in the cadre of Deputy Manager (Marketing). The grievances of the writ petitioner is that the disciplinary proceedings initiated against the writ petitioner ended with an order of warning and no further punishment was imposed. The terminal benefits in entirety has not been settled.

3.The learned counsel appearing on behalf of the writ petitioner made a submission that few benefits were settled and other benefits are yet to be settled. In this regard, the petitioner has to approach the appropriate authorities setting out the facts and details regarding the terminal and pensionary benefits



were already settled and the other benefits are yet to be settled. In this regard, the petitioner is at liberty to submit a representation. In the event of submitting any such representation, the respondents are directed to consider the same with reference to the rules in force and accordingly, settle the balance benefit by following the procedures contemplated within a period of twelve weeks from the date of receipt of a copy of the representation from the writ petitioner. The proceedings regarding the initiation of disciplinary proceeding was under challenge and during the pendency of the writ petition, enquiry was conducted and the disciplinary proceedings ended with an order of warning. Thus, the writ petitioner is not insisted for quashing of the impugned order which is not existing as of now.

4. Accordingly, the writ petition is disposed of. No costs.

Sd/-

Assistant Registrar (CS-II)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

sjj

To

1.The Chairman,  
Tamil Nadu Cements Corporation Limited,  
Chennai.

2.The Deputy General Manager,  
Tamil Nadu Cements Corporation Limited,  
Alangulam, Virudhunagar District.

+1 CC to M/s.R. SUBRAMANIAN, Advocate ( SR-19848[F] dated 13/10/2020 )

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VR (CO)  
AP (20/10/2020) 2P 4C