



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED :14.10.2020

CORAM

THE HONOURABLE MR.JUSTICE KRISHNAN RAMASAMY

W.P.(MD) No.14345 of 2020

B.Maheswari

...Petitioner

Vs

1.The Chief Engineer / Distribution,
TANGEDCO,
K.Pudur,
Madurai 7.

2.The Superintending Engineer,
TANGEDCO,
Ramanathapuram Distribution Circle,
Ramanathapuram District.

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, to direct the 2nd respondent to disburse the retirement benefits of the petitioner along with other consequential benefits in the light of the judgement of the learned Chief Judicial Magistrate, Theni in C.C.No.529/2013 dated 20.08.2020.

For Petitioner	: Mr.T.Lajapathi Roy
For Respondents	: Mr.T.Sakthi Kumaran
	Standing Counsel

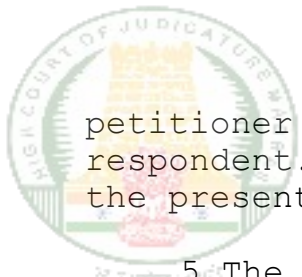
ORDER

This Writ Petition is filed as against the failure on the part of the respondents on considering the petitioner's representation dated 21.09.2020.

2.By consent of both parties, this writ petition is taken up for final disposal at the stage of admission itself.

3.According to the petitioner, she was working as Assessor at Periyakulam, Theni Electricity Distribution Circle. Based on the complaint given by one Ramesh Kumar, a case in Crime No.467 of 2012 has been registered as against the petitioner and the same has also been taken on file in C.C.No.529 of 2013 on the file of the Chief Judicial Magistrate Court, Theni, as a result of which, the petitioner was placed under suspension, by proceedings dated 28.05.2016.

4.On 20.08.2020, though the petitioner was acquitted from the aforesaid criminal case, so far the 2nd respondent has not disbursed the retirement benefits to the petitioner. In this regard, the



petitioner has made a representation dated 21.09.2020 before the 2nd respondent. However, no action has been taken till date. Hence, the present writ petition.

5.The learned counsel appearing for the petitioner would submit that the petitioner was suspended from service only on the ground that a case in C.C.No.529 of 2013 is pending as against her. Though the said case has been disposed of by the trial Court, so far the 2nd respondent has not disbursed the retirement benefits to the petitioner. He would further submit that challenging the order passed in C.C.No.529 of 2013, till date, no appeal has been preferred by the respondents.

6.On the other hand, Mr.T.Sakthi Kumaran, learned Standing Counsel appearing for the respondents would submit that the 2nd respondent will take appropriate steps to dispose of the petitioner's representation dated 21.09.2020, within a period of six weeks.

7.In view of the submission made by the learned counsel on either side, this Court is inclined to pass the following direction:-

the 2nd respondent is directed to consider the petitioner's representation dated 21.09.2020 and pass appropriate orders on merits and in accordance with law, within a period of six weeks from the date of receipt of a copy of this order;

8.With the above direction, the Writ Petition stands disposed of. No costs.

Sd/-

Assistant Registrar (CSII)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

mm

Note: In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

TO

1.The Chief Engineer / Distribution,
TANGEDCO,
K.Pudur,
Madurai 7.

<https://hcservices.ecourts.gov.in/hcservices/>



2.The Superintending Engineer,
TANGEDCO,
Ramanathapuram Distribution Circle,
Ramanathapuram District.

+1 CC to M/s.T. LAJAPATHI ROY, Advocate (SR-20098[F] dated
15/10/2020)

+1 CC to M/s.T. SAKTHIKUMARAN, Advocate (SR-20268[F] dated
15/10/2020)

W.P. (MD) No.14345 of 2020
14.10.2020

SRK(CO)
KB(29.10.2020) 3P 5C