

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.01.2021

CORAM :

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P.No.1644 of 2021

V.K.Ponnusamy

... Petitioner

Vs

1.The Tamil Nadu Civil Supplies Corporation,
Rep. by its Managing Director,
Head Office at No.12, Thambu Samy Road,
Kilpauk, Chennai - 600 010.

2.The Regional Manager,
Tamil Nadu Civil Supplies Corporation,
Chennai (South) Region,
Gopalapuram,
Chennai - 600086.

.... Respondents

Prayer: Writ petition filed under Article 226 of the Constitution of India, praying to issue a writ of Mandamus, directing the 1st respondent to release all the terminal benefits payable to the petitioner due to him in pursuance of his retirement from service with effect from 31.01.2020 within a time frame fixed by this Court.

For Petitioner : Mr.T.Ramkumar

For Respondents : Mr.C.Munusamy,
Special Government Pleader

O R D E R

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

2.This writ petition has been filed, seeking a direction to the first respondent to release all the terminal benefits payable to the petitioner within a time frame to be fixed by this Court.

3.According to the petitioner, he joined the service of the respondent Corporation in the year 1983 and till the date of retirement, i.e., on 31.01.2020, he discharged his duties in a

sincere and diligent manner and utmost satisfaction to his superior officers. It is the further case of the petitioner that while in service, he was placed under suspension by order dated 22.01.2019 for certain alleged irregularities. After conducting surprise inspection, in which, no evidence was found against the petitioner, charge memo was issued on 01.03.2019, to which, the petitioner sent his explanation. However, the enquiry officer filed a report stating that the charges are proved. In the said circumstances, since the petitioner was due to retire on 31.01.2020, the second respondent by order dated 30.01.2020, revoked the suspension and directed the petitioner to report to work. Subsequently, the first respondent, by proceedings dated 31.01.2020, ordered to relieve the petitioner from service without prejudice to the criminal as well as disciplinary proceedings pending against him. Accordingly, the second respondent relieved the petitioner from service with effect from 31.01.2020. However, retirement benefits due to him, was withheld by the respondents, without any basis. Hence, this writ petition.

4.The learned counsel for the petitioner submitted that the petitioner made a representation dated 24.12.2020 to the first respondent seeking terminal benefits due to him; and he would be satisfied, if the said representation is directed to be considered within a time frame to be stipulated by this Court.

5.Mr.C.Munusamy, learned Special Government Pleader taking notice for the respondents, has no serious objection for granting such relief to the petitioner.

6.Considering the limited relief now sought by the learned counsel for the petitioner, which has not been seriously opposed on the side of the respondents, this Court, without going into the merits of the case, directs the respondents to consider the representation of the petitioner dated 24.12.2020 and pass appropriate orders, on merits and in accordance with law, after affording an opportunity of hearing to the petitioner, within a period of eight weeks from the date of receipt of a copy of this order.

7.The Writ Petition is disposed of with the above direction. No costs.

Sd/-
Assistant Registrar(CS VII)

//True Copy//

Sub Assistant Registrar

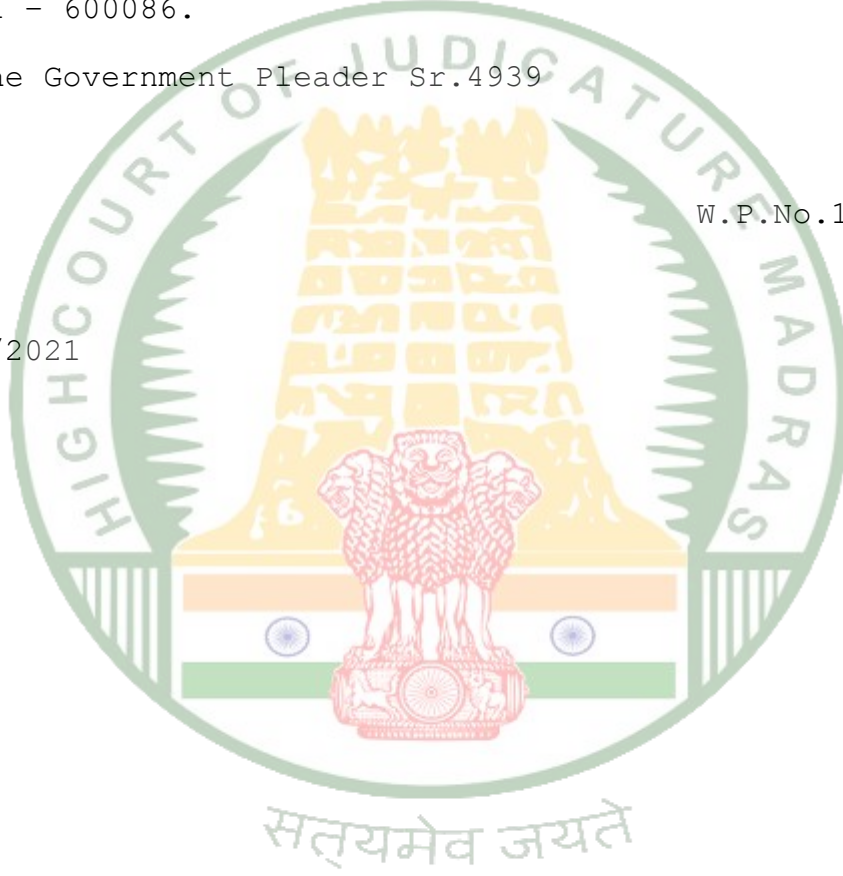
To

- 1.The Managing Director,
Tamil Nadu Civil Supplies Corporation,
Head Office at No.12, Thambu Samy Road,
Kilpauk, Chennai - 600 010.
- 2.The Regional Manager,
Tamil Nadu Civil Supplies Corporation,
Chennai (South) Region,
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+1cc to the Government Pleader Sr.4939

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