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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.03.2021

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THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P.No.1660 of 2016

T.Rizwan Ahmed

... Petitioner

Vs.

1. State of Tamil Nadu,
Rep. by its Secretary,
Backward Classes, Most Backward Classes and
Minorities Welfare Department,
Fort St. George, Secretariat, Chennai - 600 009.
2. Tamil Nadu Minorities Economic Development Corporation Ltd.,
807, Anna Salai, 5th Floor, Chennai - 600 002.
Rep. by its Managing Director

... Respondents

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, to direct the first respondent to consider the petitioner's representation dated 17.05.2012 followed by last reminder dated 02.07.2014 and pass Orders directing to pay petitioner's gratuity.

For Petitioner : Dr.Syed Shaffi

For Respondents : Mr.P.Chinnadurai
Additional Government Pleader - R1
Mr.S.Gunasekaran - R2

ORDER

According to the petitioner, he was appointed as Commercial Trainee in Tamil Nadu Steels Ltd on 12.12.1972 and was made permanent employee as Junior Assistant on 12.06.1973. Subsequently, due to closure of Tamil Nadu Steels Ltd., he was relieved from service on 31.07.1998 and he was absorbed as Manager Credit - Project in the scale of pay of Rs.6500-200-10500 with effect from 08.02.2001, by the second respondent Corporation. On reaching the age of superannuation, he retired from service on 30.09.2009. Thereafter, he was given re-



employment for one more year from 01.10.2010 to 30.09.2011 and was ultimately relieved from service on 26.12.2011. It is the grievance of the petitioner that though he served for the total period of 38 years as an employee of the Public Sector Undertakings, his period of service was taken as 10 years alone for calculating gratuity. Stating so, he made a representation to the second respondent dated 17.05.2012 claiming gratuity of Rs.6,38,992/- in respect of total service of 38 years, which was not considered. Hence, he made appeals to the first respondent on 04.03.2014 and 02.07.2014, which were also not considered, till date. Therefore, the petitioner has come up with this writ petition for a mandamus, seeking a direction to the respondents to pass orders on his representation and pay gratuity to him.

2.Heard both sides and perused the materials available on record.

3.Considering the facts and circumstances of the case and having regard to the submissions made by the learned counsel on either side, this Court directs the respondents to consider the representation dated 17.05.2012 followed by the reminder dated 02.07.2014 submitted by the petitioner, if not already considered, and pass appropriate orders, on merits and in accordance with law, within a period of eight weeks from the date of receipt of a copy of this order.

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

Sd/-
Assistant Registrar(CS VII)

//True Copy//

Sub Assistant Registrar

vrc

To

1. The Secretary,
Backward Classes, Most Backward Classes and
Minorities Welfare Department,
Fort St. George,
Secretariat,
Chennai - 600 009.



2. Managing Director
Tamil Nadu Minorities Economic Development Corporation Ltd.,
807, Anna Salai, 5th Floor,
Chennai - 600 002.

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+1cc to Dr.C.K.Syed Shaffi, Advocate Sr.13968
+1cc to the Government Pleader SR.13732

W.P.No.1660 of 2016

gpl[col
srg 16/07/2021