

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.04.2021

CORAM

THE HONOURABLE MR. JUSTICE M.GOVINDARAJ

W.P.No.10246 of 2021

P.Sivasubramanian

... Petitioner

Versus

The Tamil Nadu Water supply
and Drainage Board Represented by its
Managing Director, TWAD House
No.31, Kamarajar Salai,
Chepauk, Chennai-600 005

... Respondent

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the Respondent to pass a regular retirement order by modifying the earlier conditional retirement order dated 30.06.2016 and consequently release all petitioner pension and terminal benefits by considering the petitioners representation dated 19.01.2021.

For Petitioner : Mr.V.R.Appaswamee

For Respondent : Mr.R. Ganesh Babu

O R D E R

The Petitioner was working as Assistant Engineer in TWAD Board . He was suspended from service by an order dated 30.07.1994 passed by the respondent on the ground that the petitioner has been implicated in a criminal case on the file of Superintendent of Police, Western Range, Vigilance and Anti Corruption, Chennai, and in view of the pendency of the criminal case, the petitioner filed a quash petition in CrI.O.P.No.13062 of 2015 challenging the criminal proceedings and the same was allowed in favour of the petitioner by order dated 21.09.2015. The petitioner was conditionally permitted to retire on 30.06.2016 and provisional pension was paid and no other benefits were disbursed. Learned counsel further submits that the Special Leave Petition filed against the petitioner was also dismissed on 18.12.2019. When the Hon'ble Supreme Court has confirmed the order of this Court, there is no impediment for

the respondent to permitting him to retire and settle entire terminal benefits. For that purpose, he made a representation on 19.01.2021 for modifying the conditional order to one of the regular retirement order. The representation is pending with the respondent without disposal. Aggrieved over the same, the petitioner is before this Court.

2. Mr.Ganesh Babu, learned counsel takes notice on behalf of the respondent.

3. Considering the limited prayer without expressing any opinion on merits, a direction is given to the respondent to consider the representation of the petitioner dated 19.02.2021 on merits and in accordance with law and pass orders within a period of four weeks from the date of receipt of a copy of this order.

With the above direction, the writ petition is disposed of.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

To

The Managing Director,
Tamil Nadu Water supply
and Drainage Board ,
TWAD House, No.31, Kamarajar Salai,
Chepauk, Chennai-600 005.

+1cc to Mr.V.R.Appaswamee, Advocate Sr.24889
+1cc to Mr.R.Ganesh Babu, Advocate Sr.24834

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srg 29/06/2021

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