

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.01.2021

CORAM

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P.NO.34941 OF 2014

S.Ravi

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Petitioner

Vs

1.The Managing Director
TASMAC Limited
Egmore, Chennai - 600 008.

2.The General Manager, (W&A)
Tamilnadu State Marketing Corporation Ltd
CMDA Tower II, 4th Floor,
Egmore, Chennai - 600 008.

3.The Senior Regional Manager
TASMAC Limited, Chennai - Region
No.785, L.L.A.Building
Anna Salai, Chennai - 600 032

4.The District Manager,
TASMAC Limited
Chennai - South District
Ambattur,
Chennai - 600 058

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Respondents

Prayer:-

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, to direct the respondents to allow the petitioner to retire from service voluntarily with all service and retirement benefits based on the representations of the petitioner dated 5.06.2014 and 27.10.2014.

For Petitioner

: Mr.Ravichandran Sundaresan

For Respondents 1 & 4

: Mr.John Kennady
for TASMAC

ORDER

The prayer made in this writ petition is to direct the respondents to permit the petitioner to retire from service voluntarily with all service and retirement benefits, based on his representations dated 05.06.2014 and 27.10.2014.

2. Upon notice, the respondents filed a detailed counter affidavit, inter alia stating that as per the Government rules, the application under Voluntary Retirement Scheme may be processed, if on the date of application, the individual is not under suspension or no disciplinary proceedings is pending against him, whereas the petitioner stayed away from duty from 28.03.2013 onwards, due to which, charges were framed and the disciplinary proceedings is pending against him and hence, his request seeking VRS cannot be considered at this stage.

3. However, today, when the matter was taken up for consideration, the learned counsel for the petitioner, on instructions, submitted that the petitioner had already attained the age of superannuation and hence, nothing survives for adjudication herein. However, the learned counsel sought liberty to the petitioner to approach the authority concerned with a fresh representation seeking retirement benefits.

4. In view of the above submission made by the learned counsel for the petitioner, this writ petition stands disposed of, permitting the petitioner to submit a fresh representation along with a copy of this order to the authority concerned, within a period of two weeks from the date of receipt of a copy of this order. On such submission, the authority concerned shall consider the said representation and pass appropriate orders, on merits and in accordance with law, after affording an opportunity of personal hearing to the petitioner, within a period of six weeks thereafter. No costs.

Sd/-

Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

msv

To

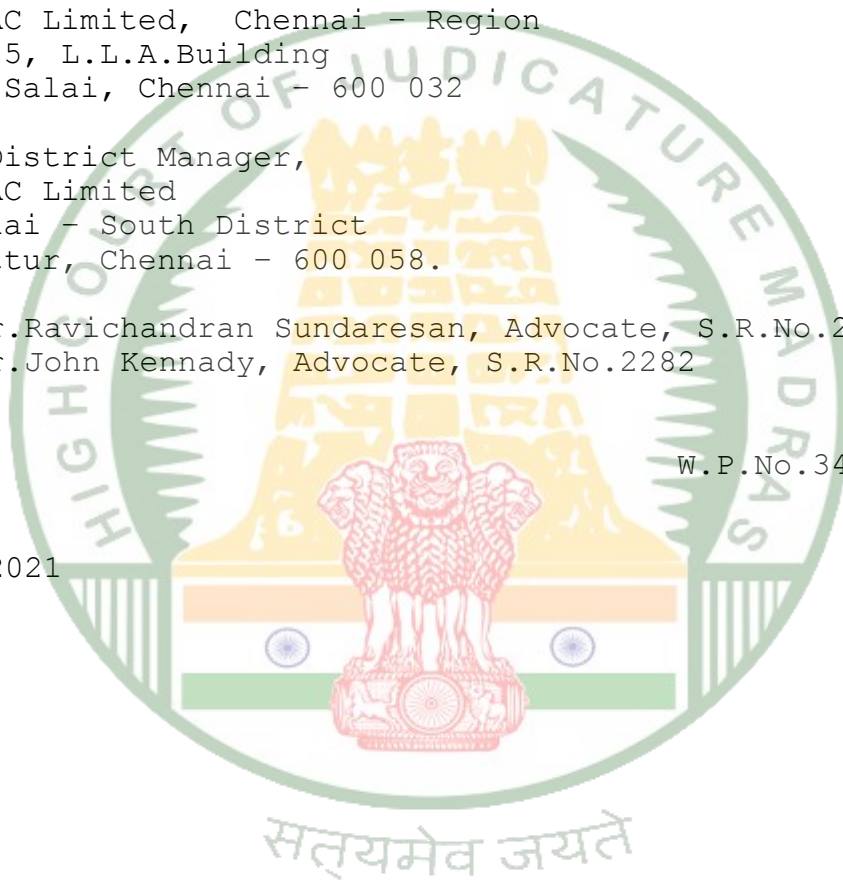
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+1cc to Mr.Ravichandran Sundaresan, Advocate, S.R.No.2508

+1cc to Mr.John Kennady, Advocate, S.R.No.2282

W.P.No.34941 of 2014

SR(CO)
CS/11/02/2021



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