

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.01.2021

CORAM

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P.No.16278 of 2014

P.Subramanian

... Petitioner

Vs.

1. The Chairman - cum - Managing Director
Tamilnadu Sugar Corporation Ltd.,
Regd. Office No.690, Anna Salai,
Post Box No.3360, Nandanam,
Chennai - 600 035.
2. The Chief Executive Officer,
Arignar Anna Sugar Mills,
Kurungulam, Thanjavur - 613 303. ... Respondents

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, to direct the respondents to consider the representations dated 23.08.2012 and 16.04.2013 in accordance with law within a time frame as fixed by this Court.

For Petitioner : Mr.N.Nithianandam

For Respondents : Mr.R.Bala Ramesh - R1 & R2

ORDER

According to the petitioner, he joined the services of the respondent in the year 1976. Subsequently, he was promoted as Administrative Officer of the second respondent in the year 2008. After completing 32 years of service, he was issued with two charge memos dated 05.07.2008 alleging certain misconducts, to which, the petitioner submitted his detailed replies on 24.07.2008 denying the charges. Being dissatisfied with the explanations offered by the petitioner, departmental enquiry was ordered, pursuant to which, enquiry was conducted and based on the enquiry report, he was issued with show cause notices dated 30.12.2008 and 05.01.2009. In the mean while, by proceedings dated 31.12.2008 issued by the second respondent, the petitioner was permitted to retire from service on attaining the age of superannuation on 31.12.2008 without prejudice to the charges

and outcome of the disciplinary actions pending against him. On 10.02.2009, the first respondent awarded the punishment of censure and a recovery of Rs.8,567/- against the petitioner. When the things stood thus, the petitioner was issued with a third charge memo dated 20.04.2009, due to which, terminal benefits were not settled to him. After enquiry, it was found that the charges framed against him were not proved and he was absolved from the same, vide order of the first respondent dated 31.12.2011. Thereafter, the terminal benefits due to the petitioner were settled with inordinate delay. Hence, he made representations dated 23.08.2012 and 16.04.2013 to the respondents, claiming interest for the belated payment of terminal benefits. Since the said representations were not considered, the petitioner has filed this writ petition seeking appropriate direction to the respondents in this regard.

2. Heard both sides and perused the materials placed before this Court.

3. Considering the limited relief sought herein, this Court directs the respondents to consider the representations of the petitioner dated 23.08.2012 and 16.04.2013 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 VI)

//True Copy//

Sub Assistant Registrar

vrc

To

1. The Chairman - cum - Managing Director
Tamilnadu Sugar Corporation Ltd.,
Regd. Office No.690, Anna Salai,
Post Box No.3360, Nandanam,
Chennai - 600 035.

2. The Chief Executive Officer,
Arignar Anna Sugar Mills,
Kurungulam, Thanjavur - 613 303.

+1cc to Mr.N.Nithianandam, Advocate Sr.3193

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cp[co]
srg 18/06/2021



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