



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:09.12.2021

CORAM:

WEB COPY

THE HONOURABLE DR.JUSTICE ANITA SUMANTH

W.P. (MD) .No.16498 of 2018

Y.Agustin

... Petitioner

vs.

1.The Chairman and Managing Director,
Poompuhar Shipping Corporation Limited,
No.692, Anna Salai, IV Floor,
Nandanam,
Chennai 600 035.

2.The State Port Officer,
No.8, Nowroji Road,
Chetput,
Chennai 600 031.

3.The Manager,
Poompuhar Shipping Corporation Limited,
Kanyakumari District.

4.The District Collector,
Kanyakumari District.

... Respondents

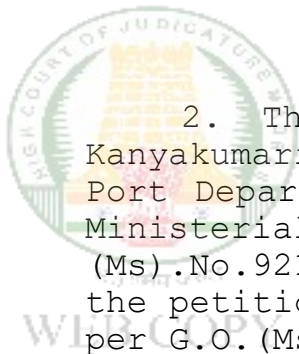
PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus directing the respondents herein to disburse the payment of gratuity from 27.02.1982 to 01.04.1987 to the petitioner, as per the proceedings of the first respondent in Ref.KFS/3.3/88, dated 23.08.1988 together with interest at 9% from 30.04.2013 within a reasonable time as may be fixed by this Court.

For Petitioner
For Respondents

: Mr.S.Ramakrishnan
: Mr.A.K.Manikkam
Special Government Pleader

O R D E R

The prayer of the petitioner is for a Mandamus simpliciter directing the respondents to disburse gratuity for the period from 27.02.1982 to 01.04.1987, as per proceedings of the Chairman and Managing Director, Poompuhar Shipping Corporation Limited (PSCL) in Ref.KFS/3.3/88, dated 23.08.1988 with interest at the rate of 9% from 30.04.2013, within a time frame to be fixed by this Court.



2. The petitioner had been appointed as a Typist in the Kanyakumari Ferry Service (KFS) managed by the erstwhile Tamil Nadu Port Department and had joined duty on 27.02.1982 under Tamil Nadu Ministerial service. KFS had been taken over by PSCL, as per G.O. (Ms).No.921 and the services of 13 staff members of KFS including the petitioner herein had been absorbed by the latter Corporation as per G.O.(Ms).No.921, Transport dated 06.08.1984. It is thus that the petitioner seeks the monetary benefits as per the prayer in this writ petition.

3. Since the petitioner also states that representations have been filed before R1 seeking the same benefit as sought for in this writ petition, it would suffice and in fact be appropriate that R1 dispose the representations expeditiously, after hearing the petitioner. A Mandamus is thus issued directing R1 to consider the representation of the petitioner dated 06.03.2013, hear the petitioner and pass orders thereupon within a period of eight weeks from today, in accordance with law and in tandem with applicable Rules and Regulations.

4. This Writ Petition is disposed as above. No costs.

Sd/-

Assistant Registrar (CS-III)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

akv

Note:

In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate / litigant concerned.

To

1.The Chairman and Managing Director,
Poompuhar Shipping Corporation Limited,
No.692, Anna Salai, IV Floor,
Nandanam,
Chennai 600 035.

2.The State Port Officer,
No.8, Nowroji Road,
Chetput,

<https://hcservices.ecourts.gov.in/hcservices/>



Chennai 600 031.

3.The Manager,
Poompuhar Shipping Corporation Limited,
Kanyakumari District.

4.The District Collector,
Kanyakumari District.

+1 CC to M/s.SPL GP (SR-38337[F] dated 13/12/2021)

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09.12.2021

PS (CO)

KB(22.12.2021) 3P 6C