



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 18.02.2021

CORAM:

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P(MD)No.12680 of 2016

and

W.M.P. (MD)No.9630 of 2016

R.Gurunathan

... Petitioner

Vs.

1.M/s Tamil Nadu Cements Corporation Limited,
represented by its Managing Director,
No.735, LLA Buildings 2nd Floor,
Anna Salai,
Chennai-600 002.

2.The Deputy General Manager (In-charge),
M/s Tamil Nadu Cements Corporation Limited,
Ariyalur Cement Works,
Ariyalur, Ariyalur District.

3.M/s Tamil Nadu Cements Corporation Limited,
Alangulam Cement Works,
Tamil Nadu Cements Post-626 127,
Via Rajapalayam, Virudhunagar District,
represented by the
Deputy General Manager(in-charge).

... Respondents

Prayer: Petition filed under Article 226 of the Constitution of India, to issue a writ of Certiorarified Mandamus to call for the records from the second respondent in his proceedings in ACW/PL-1/2014-168, dated 31.05.2014 and quash the same insofar it states that the petitioner is being retired without prejudice to the pending disciplinary proceedings against him and on the ground that withholding the terminal benefits is illegal, arbitrary, without any authority jurisdiction, and contrary to the service regulation of the respondent/corporation and consequently direct the respondents to disburse the terminal benefits due to the petitioner with applicable interest for the delayed payment from the date of his retirement (i.e) 31.05.2014, within the stipulated period as fixed by this Court.

For Petitioner	:	Mr.N.Sathish Babu
For Respondents	:	Mr.S.Venkatesh for Mr.A.Sivaji



ORDER

Challenging the proceedings, dated 31.05.2014, issued by the second respondent, the present Writ Petition is filed by the petitioner.

2. The case of the petitioner is that he was appointed as Steno Cum Typist in the respondent Corporation in the year 1981 and he obtained various promotions upto the level of Assistant Manager. While he was working as Assistant Manager in Madurai region and also in the verge of superannuation, the present impugned order was passed by the second respondent, vide order dated 31.05.2014 and he was allowed to retire from service without prejudice to the disciplinary action pending against him. Challenging the same, the present writ petition is filed.

3. During the course of arguments, the learned Counsel appearing for the petitioner would submit that during the pendency of the writ petition, disciplinary proceedings against the petitioner were concluded and the disciplinary authority imposed a punishment of stoppage of increment for a period of one year and that period was also completed and further, all the retirement benefits were also settled to the petitioner.

4. Learned Counsel appearing for the respondents did not dispute the said facts submitted by the learned Counsel for the petitioner.

5. In view of the above, nothing survives for further adjudication in this matter. Hence, the Writ Petition stands closed. No costs. Consequently, the connected Miscellaneous Petition is also closed.

Sd/-

Assistant Registrar ()

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

SSL

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correct copy, shall be the responsibility of the advocate/litigant concerned.

+1 CC to Mr.A.SIVAJI, Advocate (SR-6099[F] dated 19/02/2021)

WEB COPY
+1 CC to Mr.N.SATHISH BABU, Advocate (SR-6217[F] dated 19/02/2021)

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