



W.P.No.1852 of 2019

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :08.11.2022

CORAM :

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No.1852 of 2019

1. K.Selvaraj
2. M.Selvaraj
3. A.Ranganathan
4. K.Sivalingam
5. K.Abdhul Saleem
6. V.P.Ramalingam

... Petitioners

-Vs-

1. The Chairman cum Managing Director,
Tamil Nadu Civil Supply Corporation Ltd.,
Head Office, Kilpauk,
Chennai-600 010.
2. The General Manager (Administration),
Tamil Nadu Civil Supply Corporation Ltd.,
Head Office, Kilpauk,
Chennai-600 010.
3. The Manager (Gratuity),
Tamil Nadu Civil Supply Corporation Ltd.,
Head Office, Kilpauk,
Chennai-600 010.



W.P.No.1852 of 2019

WEB COPY

4. The Regional Manager,
Tamil Nadu Civil Supply Corporation Ltd.,
Office of the Regional Manager,
Hospital Road, Villupuram-605 602.

5. The Regional Manager,
Office of the Regional Manager,
Tamil Nadu Civil Supply Corporation Ltd (Vellore Region),
Vellore Region, Pallavansathu kuppam,
Vellore-632 002.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India to issue Writ of Mandamus, to direct the Respondents 1 to 5 to pay the unsettled Gratuity amounts with 12 percent annual interest from the retirement date of the each petitioner to till the date of disbursement of the same due to the Petitioners 1 to 6 under provision Rule 45A of Tamil Nadu Pension Rules as amended from 20.2.1995 and the delay in payment of settling the terminal benefits is attributable on the part of the Respondents 1 to 5 as per Gazette Notification No.173 dated 01.04.2004 issued by the department of finance (Retirement Settlement) as per the order of Government of Tamil Nadu within stipulated period of time in the interest of justice.

For Petitioners : Mrs.Selvi Rajesh for
Mr.A.Arivazhagan

For Respondents : Mr.V.R.Thiyagarajan



W.P.No.1852 of 2019

ORDER

WEB COPY The relief sought for in the present writ petition is to direct the respondents to pay the unsettled gratuity amount, due to the petitioners along with the interest.

2. All the writ petitioners were employed in the respondent Tamil Nadu Civil Supply Corporation Ltd. When the petitioners were in service, they were posted in fair price shops, under the control of the Cooperative Department and again they were reverted to their parent corporation, namely the Tamil Nadu Civil Supply Corporation Ltd. The petitioners served in the corporation and retired long back.

3. The grievances of the petitioners were that the gratuity amount due to them were not settled. In this regard, the petitioners made several representations and the respondents have not responded to the said representations and thus, the petitioners are constrained to move the present writ petition.

4. The learned counsel for the respondents, on getting instructions



W.P.No.1852 of 2019

from the official, who is present before this Court, namely

Mrs.K.Bhuvaneswari, Manager Gratuity of Tamil Nadu Civil Supply Corporation, made a submission that the service particulars of all these petitioners were not immediately made available for the purpose of settling the gratuity, since the petitioners were deputed to the Cooperative Department, wherein they served for few years and thereafter, came back to the respondent corporation. Despite the fact that the service particulars were not available, the corporation, by way of welfare measure, calculated the gratuity as admissible and accordingly, settled the same in favour of all the writ petitioners.

5. It is made clear that the gratuities due to the petitioners were settled in their favour. This being the factum, the petitioners are at liberty to pursue the remedy, if any other grievance exist to them.

6. With these liberties, this writ petition stands disposed of. There shall be no order as to costs.

08.11.2022

Index : Yes
Speaking order



W.P.No.1852 of 2019

WEB COPY

To

1. The Chairman cum Managing Director,
Tamil Nadu Civil Supply Corporation Ltd.,
Head Office, Kilpauk,
Chennai-600 010.
2. The General Manager (Administration),
Tamil Nadu Civil Supply Corporation Ltd.,
Head Office, Kilpauk,
Chennai-600 010.
3. The Manager (Gratuity),
Tamil Nadu Civil Supply Corporation Ltd.,
Head Office, Kilpauk,
Chennai-600 010.
4. The Regional Manager,
Tamil Nadu Civil Supply Corporation Ltd.,
Office of the Regional Manager,
Hospital Road, Villupuram-605 602.
5. The Regional Manager,
Office of the Regional Manager,
Tamil Nadu Civil Supply Corporation Ltd (Vellore Region),
Vellore Region, Pallavansathu kuppam,
Vellore-632 002.



WEB COPY



W.P.No.1852 of 2019

S.M.SUBRAMANIAM.J.,

sha

W.P.No.1852 of 2019

08.11.2022