



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 7.1.2022

CORAM

THE HONOURABLE Mr.JUSTICE D.KRISHNAKUMAR

W.P.No.16354 of 2012

P.Damodaran

...Petitioner

Vs.

Tamil Nadu Cements Corporation Limited
Rep. By its Chairman and Managing Director,
No.735, Anna Salai, Chennai 600 002.

...Respondent

Prayer:- The Writ Petition is filed under Article 226 of the Constitution of India, seeking for a Writ of Mandamus, directing the respondent to consider the representation dated 1.11.2010 submitted by the petitioner seeking proper fixation of his pay by counting the period of his service between 25.6.1987 to 29.12.1997 for all purposes and accordingly grant him all service benefits including the terminal benefits with interest from 28.2.2005 and for costs.

For Petitioner : Mr.C.K.Chandrasekar
For Respondent : Mr.A.Sivaji

ORDER

According to the petitioner, the petitioner was suspended from service on the ground that the petitioner involved in a criminal case registered against him and the case was taken on the file of IV Additional Sessions Judge, Chennai in S.C.No.17 of 1987. Subsequently, the aforesaid criminal case was ended in acquittal by judgment dated 16.4.2008. According to the petitioner, though suspension was revoked by the respondent Corporation, the suspension period i.e. 25.6.1987 to 29.12.1997 was not counted as duty period to settle the terminal benefits to the petitioner. The petitioner made representation to the respondent on 1.11.2010 and sent reminder, dated 11.6.2012 through R.P.A.D. The petitioner also filed proof in the typedset of papers. Again, he sent reminder on 11.6.2012 but no order has been by the respondent on the said representation. Therefore, the petitioner has filed the present writ petition before this Court to direct the respondent to consider the representation made by the petitioner and pass appropriate orders.



2. As the writ petition is of the year 2012, so far no counter affidavit has been filed by the respondent Corporation, considering the limited prayer sought for by the petitioner and taking note of the facts and circumstances of the case, without going into the merits of the case, this Court is inclined to direct the respondent to consider the representation dated 1.11.2010 and pass appropriate orders on its own merit and in accordance with law, as expeditiously as possible preferably within a period of 12 weeks from the date of receipt of copy of the order. It is needless to say that the petitioner shall also furnish copy of the representation dated 1.11.2010 along with order copy to the respondent Corporation.

3. The writ petition is disposed of with the above directions. No cost.

Sd/-
Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

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To

The Chairman and Managing Director,
Tamil Nadu Cements Corporation Limited
No.735, Anna Salai, Chennai 600 002.

+1cc to Mr.A.Sivaji, Advocate, S.R.No.1797
+1cc to Mr.C.K.Chandrasekar, Advocate, S.R.No.1470

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SMI (CO)
KKV/04/02/2022