

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22.06.2022

CORAM:

THE HON'BLE MR. JUSTICE D.KRISHNAKUMAR

W.P.No. 11872 of 2022

G.N.Mani

..Petitioner

Vs.

1.The Managing Director,
Tamil Nadu Civil Supplies Corporation,
Kilpauk, Chennai-600010

2.The Regional Manager,
Tamil Nadu Civil Supplies Corporation,
Vellore Region, Vellore.

.. Respondent

Prayer: Writ petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, directing the 2nd respondent herein to consider and pass suitable orders on the petitioners representation made to him on 21/12/2021 for the payment of retirement benefits and statutory benefits namely earned leave and unearned leave surrender together with interest at 18 percent annum.

For Petitioner : Mr.S.Balasubramanian

For Respondents : Mr.C.Selvaraj, Standing Counsel

ORDER

The prayer sought for in the writ petition is to direct the 2nd respondent herein to consider and pass suitable orders on the petitioners representation made to him on 21/12/2021 for the payment of retirement benefits and statutory benefits namely earned leave and unearned leave surrender together with interest at 18 percent annum.

2. Heard both sides and perused the materials available on record.

3. The learned counsel for the petitioner has submitted that the petitioner had joined services in the respondent -Corporation in the year 1984 and after completion of 28 years of service, retired on superannuation on 31.12.2012. The

petitioner had earlier made representation to the respondents for promotion as Assistant Manager from the year 2011 and consequential monetary benefits based on the Government orders. Since the 2nd respondent has not passed any orders on the said representation, the petitioner has filed a writ petition in W.P.No. 10046 of 2014 and as per the directions issued by this Court by its order dated 04.03.2021 in the said writ petition, the respondents have paid only part payment of Rs.40,697/- on 15.11.2021 towards interest for gratuity.

4. According to the learned counsel for the petitioner, the respondents have to pay the amount towards encashment of earned leave and unearned leave to the petitioner. The petitioner has made a representation dated 21.12.2021 to the respondent. However, the said representation is still pending before the respondent, hence seeking directions to the respondent, the present writ petition is filed.

5. The learned Standing Counsel appearing for respondent-Corporation has submitted that the representation submitted by the petitioner is pending before the 2nd respondent. The said representation will be considered by the 2nd respondent and pass appropriate orders in accordance with law, within a time frame as fixed by this Court.

6. In view of the submissions made by the learned Standing Counsel appearing for the respondent-Corporation and considering the limited scope of the prayer sought for by the petitioner, this Court without expressing any opinion on the merits of the case, directs the 2nd respondent to consider the petitioner's representation dated 21.12.2021 made by the petitioner and pass appropriate orders on its own merits and in accordance with law, within a period of eight (8) weeks from the date of receipt of a copy of this order.

7. With the above directions, the writ petition stands disposed of. No costs.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

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To

1.The Managing Director,
Tamil Nadu Civil Supplies Corporation,
Kilpauk, Chennai-600010

2.The Regional Manager,
Tamil Nadu Civil Supplies Corporation,
Vellore Region, Vellore.

+1cc to Mr.C.Selvaraj, Advocate, S.R.No.38645

+1cc to Mr.S.Balasubramanian, Advocate, S.R.No.38112

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VG-II (CO)

SB(27/07/2022)