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Rev.A.No. 89 of 2021

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.04.2022

CORAM

THE HONOURABLE MR. JUSTICE R. MAHADEVAN

Rev.Appl. No. 89 of 2021

M.Devan

.. Petitioner

Versus

The Tamil Nadu Civil Supplies Corporation
Rep. by its Regional Manager
Dharmapuri Region
Dharmapuri

.. Respondent

Petition is filed under Section 114 of the Civil Procedure Code r/w Order 47 Rule 1 to review the order dated 07.01.2021 passed by this Court in W.P.No.6192 of 2014.

For Petitioner : Mr. S. Venkataraman

For Respondent : Mr.C.Munusamy

ORDER

This application is filed by the writ petitioner seeking to review the order dated 07.01.2021 passed by this Court in W.P.No.6192 of 2014.

2.For better appreciation, the relevant portion of the order, which is sought to be reviewed herein, is extracted below:



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“3. The learned counsel for the petitioner submitted that as per the circular no.63/2010 Rc.No.AE3/64989/2010 dated 28.07.2010 issued by the Managing Director, TNCSC, Chennai, the gratuity will be settled as per the Act of 1972, within one month from the date of retirement, whereas the case of the petitioner was not considered, even after a lapse of seven years. He further submitted that the petitioner already sent representation dated 20.03.2013 claiming gratuity from the date of joining the service of the respondent corporation i.e. on 09.08.1982, till the date of his retirement on 30.06.2011 and hence, the same may be directed to be considered by the respondent, as expeditiously as possible.

4. The learned Special Government Pleader appearing for the respondent fairly submitted that the respondent would dispose of the petitioner's representation dated 20.03.2013, if not already disposed of, on merits, within a stipulated time to be fixed by this Court.

5. Considering the facts and circumstances of the case and having regard to the submissions made by the learned counsel on either side, this Court directs the respondent to consider the representation dated 20.03.2013 submitted by the petitioner, if not already considered, and pass appropriate orders, on merits and in accordance with law, within a period of eight weeks from the date of receipt of a copy of this order.”

3. According to the learned counsel for the petitioner, no further orders need be passed in the petitioner's representation dated 20.03.2013 as it was already informed to the petitioner by the proceedings of the respondent dated 23.12.2013, that gratuity is under process. However, the said fact was not brought to the knowledge of this court by the learned counsel at the time of disposal of the writ petition on 07.01.2021 due to technical fault, as the matter was heard through video conferencing. The learned counsel further submitted that the respondent having informed so to the petitioner, failed to discharge his duties by processing the application of the petitioner seeking gratuity, till date. Therefore, the learned counsel sought appropriate direction to the respondent by reviewing the order passed in the writ petition.



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4.Heard the learned counsel appearing for the respondent, who fairly submitted that the representation of the petitioner has already been considered and hence, an outer time limit may be fixed for processing the payment of gratuity amount to the petitioner.

5.Considering the facts and circumstances of the case and taking note of the submissions made by the learned counsel on either side, this court directs the respondent to settle the payment of gratuity amount to the petitioner, within a period of eight weeks from the date of receipt of a copy of this order.

6.Accordingly, the order dated 07.01.2021 passed in W.P.No.6192 of 2014 stands modified and this review application stands disposed of. No costs.

20.04.2022

Index : Yes/No
dhk/av

To
The Regional Manager
The Tamil Nadu Civil Supplies Corporation
Dharmapuri Region
Dharmapuri



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R.MAHADEVAN, J.

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