



W.P.(MD)No.14553 of 2022

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 07.07.2022

CORAM

THE HONOURABLE MR.JUSTICE G.CHANDRASEKHARAN

W.P.(MD)No.14553 of 2022

R.Rajapandian

... Petitioner

Vs.

1. The Tamil Nadu Khadi and Village Industries Board,
Represented by its Board of Directors,
Kuralagam,
Chennai - 600 108.

2. The Tamil Nadu Khadi and Village Industries Board,
Represented by its Chief Executive Officer,
Kuralagam,
Chennai - 600 108.

3. The Assistant Director,
Khadi and Village Industries Board,
Madurai - 600 018.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Mandamus directing the respondents to deduct the amount of Rs.4,27,203.25/- to be recovered from the petitioner including the additional amount of Rs.2,00,000/- as compensation from the petitioner and then disburse the balance amount of retirement benefits including the pension within the time stipulated.



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For Petitioner : Mr.S.Louis
For Respondents : Mr.Raghuvaran Gopalan

ORDER

The relief sought for in the present Writ Petition is to direct the respondents to deduct the amount of Rs.4,27,203.25/- to be recovered from the petitioner including the additional amount of Rs.2,00,000/- as compensation from the petitioner and then, disburse the balance amount of retirement benefits including the pension.

2. The learned counsel for the petitioner submitted that the petitioner had earlier filed W.P.(MD)No.3282 of 2015 against the impugned order, dated 17.07.2014 in Khadi Board Proceeding Order(Ms)No.32, passed by the first respondent confirming the order in Na.Ka.No.1283/03/E3(1), dated 12.11.2008 and Na.Ka.No.2366/09/E3(1) dated 28.05.2010 passed by the second respondent, which was ordered for removal of service. In the said Writ Petition, this Court set aside the order of removal from service, but confirmed the punishment of recovery of Rs.4,27,203.25/-. There was a direction to the petitioner to pay the amount



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in one lumpsum within a period four weeks from the date of receipt of a copy of that order. Since there is no punishment of removal from service, the petitioner is also directed to pay an additional amount of Rs.2,00,000/- as compensation to the respondents.

3. It is further submitted by the learned counsel for the petitioner that the petitioner is not well and he is not able to mobilize the amount and pay the respondents. Therefore, the present Writ Petition is filed with the prayer to the respondents to deduct a sum of Rs.4,27,203.25/- and also the additional amount of Rs.2,00,000/- and then, disburse the balance amount of retirement benefits including the pension to the petitioner. In this regard, he submitted a representation to the respondents, on 01.07.2022. Since no action had been taken on his representation, he filed this petition.

4. Mr.Raghuvaran Gopalan, learned counsel takes notice for the respondents and submitted that the respondents would consider the petitioner's representation.



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5. In the light of the facts narrated above and the submission of the learned counsel for the petitioner that the petitioner is not able to mobilize the funds due to his ill-health and the amount due to the respondents may be deducted from the amount payable to him and pay the balance retirement benefits and pension, this Court directs the respondents to consider the representation of the petitioner, dated 01.07.2022 and pass appropriate orders within a period of six weeks from the date of receipt of a copy of this order.

6. With the above directions, this Writ Petition is disposed of. No costs.

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Index : Yes / No

Speaking Order : Yes / No

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To

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Kuralagam,
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Chennai - 600 108.
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