



W.P.(MD)No.18988 of 2015

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 27.10.2022

CORAM

THE HONOURABLE MRS.JUSTICE S.SRIMATHY

W.P.(MD)No.18988 of 2015

M. Arunachalam

... Petitioner

vs.

1. The Chairman,
Tamil Nadu Power Generation and
Distribution Corporation (TANGEDCO),
800, Annasalai, Chennai – 2.
2. The Chief Engineer, (Personnel)
Tamil Nadu Power Generation and
Distribution Company, (TANGEDCO),
K.R.R. Maligai, No.144, Anna Salai,
Chennai – 600 002.
3. The Chief Engineer (Distribution),
TANGEDCO, Erode Region, Erode.
4. The Superintending Engineer (Distribution),
Salem Electricity Circle,
TANGEDCO, Salem.
5. The Executive Engineer,
TANGEDCO, Rasipuram,
Salem District.

... Respondents



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PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of ***Mandamus***, directing the respondents to pay the terminal benefits such as arrears of salary, General Provident Fund Amounts, Gratuity Amount, increment amounts and other Service benefits to the petitioner, by considering his representation, dated 04.09.2014.

For Petitioner : Mr.A.Robinson

For Respondents : Mr.S.Arivalagan,
Standing Counsel

ORDER

This Writ Petition has been filed for issuance of ***Writ of Mandamus***, seeking direction to the respondents to pay the terminal benefits, such as arrears of salary, General Provident Fund Amounts, Gratuity Amount, increment amounts and other Service benefits to the petitioner, by considering the petitioner's representation, dated 04.09.2014.

2. Today, when the matter is taken up for hearing, the learned counsel appearing for the petitioner submitted that the petitioner was dismissed from service on the ground of unauthorised absence. The said issue was raised before



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the Principal Labour Court, Chennai in I.D.No.434 of 1991, wherein, the Principal Labour Court directed the respondents to reinstate the petitioner with back wages. Aggrieved over the said order, the respondents have filed a Writ Petition in W.P.No. 5254 of 1996 before the Principal Seat of this Court and the same was dismissed. Against the dismissal order, the respondents have preferred an appeal in W.A.No.4040 of 2004. In the meanwhile, again, the petitioner was dismissed from service, which was challenged through I.D. and the said I.D. was not pursued by the petitioner. Therefore, the dismissal has become finality.

3. It is seen from the records that, now the petitioner is aged about more than 75 years and the petitioner is not interested in pursuing the litigation further.

4. Considering the facts and circumstances, the petitioner is entitled the available amount of Employees' Provident Fund and Gratuity payable to the petitioner.



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5. Accordingly, the respondents are directed to pay all the statutory benefits applicable to the petitioner, within a period of eight weeks from the date of receipt of a copy of the order.

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

Index : Yes / No
Internet : Yes
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S.SRIMATHY, J

ksa

Order made in
W.P.(MD)No.18988 of 2015

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