



W.P.No.12662 of 2020

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 21.09.2023

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THE HONOURABLE MR. JUSTICE J.SATHYA NARAYANA PRASAD

Writ Petition No.12662 of 2020
and W.M.P.No.16003 of 2020

K.Durai

... Petitioner

Vs.

The Executive Director,
M/s.Steel Authority of India,
(Government of India undertaking)
Salem Steel Plant,
Salem – 636 013.

... Respondent

Writ petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus directing the respondent to pass a considered order on the application given by the petitioner dated 24.12.2019 and consequential relief directing the respondent to refund the balance amount of Rs.1,73,309/- with interest as per the representation dated 24.12.2019.

For Petitioner : Mr.T.Ramachandran

For Respondent : Mr.C.Veeraraghavan



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ORDER

The petitioner has filed this writ petition seeking direction to the respondent to pass a considered order on the application given by the petitioner dated 24.12.2019 and consequential relief directing the respondent to refund the balance amount of Rs.1,73,309/- with interest as per the representation dated 24.12.2019.

2. The case of the petitioner is that the petitioner was appointed as a Technician in the respondent/Salem Steel Plant on 24.08.1991. At the time of his appointment, the qualification of the petitioner is ITI Technician. During the course of his employment, he has completed his Diploma in Civil Engineering and got promoted as Senior Technician in the year 1989 and subsequently completed his B.E. in Civil in the year 2003. While he was in service, the Salem Steel Plant offered a scheme viz., SAIL Employees Superannuation Benefit Fund (SESBF) and the eligibility to avail benefit under SESBF is minimum 5 years contribution to the fund by the employee. An employee contributes to the SESBF @ the rate of 2% of Basic Pay & DA per month, the total amount to the credit of the employee with interest is



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refunded at the time of superannuation.

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2.2. The petitioner was retired from service on 31.07.2015 as a Senior Technician Grade-5 and his last drawn salary is Rs.96,517/-. As on date of retirement, the following amount is available in petitioner's account. SESBF – Rs.1,21,500/-, interest – Rs.1,87,805/- PLBS – Rs.10635/- all put together Rs.3,19,990/- as on 31.07.2015 (date of retirement). The petitioner has received an amount of Rs.1,46,681/- on 20.11.2019 out of Rs.3,19,990/-. The respondent is liable to refund the balance amount of Rs.1,73,309/- with interest to the petitioner from the date of superannuation. In order to disburse the balance amount, the petitioner has made a representation dated 24.12.2019, before the respondent, however, the same was not considered. Hence, the petitioner has come forward with the present writ petition.

3. Learned counsel for the petitioner submitted that it would suffice, if this Court issues a direction to the respondent to consider the petitioner's representation dated 24.12.2019 and pass appropriate orders, within a time frame to be fixed by this Court.



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4. Learned counsel appearing for the respondent has no objection for the aforesaid order being passed by this Court.

5. Heard the learned counsel on either side and perused the materials available on record.

6. In view of the submission made by the learned counsel on either side, this Court without going into the merits of the case, directs the respondent to consider the petitioner's representation dated 24.12.2019 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.

7. This writ petition is disposed of with the aforesaid direction and observation. No costs. Consequently, connected miscellaneous petition is closed.

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Internet : Yes/No

Index : Yes/No

Speaking order/Non-speaking order

Neutral Citation : Yes/No

To:

The Executive Director,
M/s.Steel Authority of India,
(Government of India undertaking)
Salem Steel Plant,
Salem – 636 013.



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J.SATHYA NARAYANA PRASAD,J.

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