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W.P.No.21320 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.08.2023

CORAM :

THE HONOURABLE MR. JUSTICE N. SATHISH KUMAR

W.P.No.21320 of 2023

J.Sumathi

... Petitioner

Vs.

1.The Managing Director,
Tamil Nadu Handloom Weavers'
Co-operative Society Ltd.,
Chennai – 600 008.

2.The Regional Manager,
Tamil Nadu Handloom Weavers'
Co-operative Society Ltd.,
Bangalore.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus to direct the 1st respondent to permit the petitioner to go on voluntary retirement and consequently to direct the 1st respondent to settle all the terminal benefits payable to her, within the time frame that may be fixed by this Court, in pursuance of her representation dated 06.06.2023.

For Petitioner : Mr.C.Deepak Kumar

For R1 and R2 : Mr.M.Shajahan
Special Government Pleader



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ORDER

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This writ petition has been filed to direct the 1st respondent to permit the petitioner to go on voluntary retirement and consequently to direct the 1st respondent to settle all the terminal benefits payable to her, within the time frame that may be fixed by this Court, in pursuance of her representation dated 06.06.2023.

2.It is the case of the petitioner that she was appointed as Sales Helper in the respondent Society on compassionate grounds. Subsequently, she was promoted as Sales Assistant. On 03.10.2019, she was placed under suspension by the 1st respondent for huge stock deficit at MMDA Showroom, Arumbakkam. Thereafter, she rejoined and was transferred to the 2nd respondent Office by transfer order dated 06.05.2023. Subsequently, the petitioner submitted her application for Voluntary Retirement on 06.06.2023 on the ground of health issues. However, the same has not been considered by the respondents. Hence, the writ petition.

3.Heard the learned counsel for the petitioner.



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4.Mr.M.Shajahan, learned Special Government Pleader, appearing for the respondents, on instructions, submitted that the petitioner has to pay a sum of Rs.2,77,885/- towards the stock deficit, as it was found during enquiry. He further submitted that, if the petitioner deposits the said amount, the respondents will consider the petitioner's application for Voluntary Retirement.

5.Learned counsel appearing for the petitioner submitted that the petitioner will pay the amount, provided the respondents consider the petitioner's application for Voluntary Retirement.

6.In such view of the matter, the petitioner is directed to pay the above said amount to the respondents, within a period of one month, and on such payment, the respondents shall consider the petitioner's application for Voluntary Retirement, dated 06.06.2023, and pass appropriate orders, on merits and in accordance with law, within a month thereafter.



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7. With the above directions, this writ petition is disposed of. No

costs.

16.08.2023

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Internet : Yes

Index : Yes / No

Neutral citation : Yes / No

Speaking order / Nonspeaking order

To

1. The Managing Director,
Tamil Nadu Handloom Weavers'
Co-operative Society Ltd.,
Chennai – 600 008.

2. The Regional Manager,
Tamil Nadu Handloom Weavers'
Co-operative Society Ltd.,
Bangalore.

N. SATHISH KUMAR, J.



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