



WEB COPY



W.P.No.22891 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.08.2023

CORAM :

THE HONOURABLE MR. JUSTICE N. SATHISH KUMAR

W.P.No.22891 of 2023

T.Krishnamoorthy

... Petitioner

Vs.

1.The State of Tamil Nadu,
Represented by the Principal Secretary to Government,
Labour Welfare and Skill Development (E1) Department,
Secretariat,
Chennai – 600 009.

2.The Principal Secretary/Commissioner of Labour,
DMS Complex,
Teynampet,
Chennai – 600 006.

3.The Tamil Nadu Construction Workers Welfare Board,
Represented by its Secretary,
No.8, Valluvar Kottam High Road,
Nungambakkam,
Chennai – 600 034.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus to direct the respondents herein to forthwith sanction and disburse the entire retirement and pensionary benefits to the petitioner herein on his retirement as Assistant Commissioner of Labour as on 30.04.2023 (AN) with interest on the delayed payments within a limited time frame.



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For Petitioner : Mr.M.Ravi
For Respondents : Mr.E.Vedabagath Singh
Special Government Pleader

ORDER

This writ petition has been filed to direct the respondents herein to forthwith sanction and disburse the entire retirement and pensionary benefits to the petitioner herein on his retirement as Assistant Commissioner of Labour as on 30.04.2023 (AN) with interest on the delayed payments within a limited time frame.

2.The petitioner states that he retired from service on 30.03.2023 subject to the disciplinary proceedings pending against him. It is the case of the petitioner that two charge memos have been issued against him at the fag end of his service on the basis of certain Audit Objections. According to the petitioner, he has also paid the entire disputed amount. However, so far, the respondents have not disbursed the pensionary benefits to the petitioner. Hence, the writ.

3.Heard the learned counsel for the petitioner.



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4.Mr.E.Vedabagath Singh, learned Special Government Pleader, who takes notice for the respondents, submitted that, though the petitioner has remitted the amount, the disciplinary proceedings are still pending.

5.Since the alleged charges are with regard to Audit Objections and admittedly, the petitioner has paid the entire disputed amount, the respondents are directed to conclude the disciplinary proceedings pending against the petitioner within a period of two weeks from the date of receipt of a copy of this order and thereafter, immediately, disburse the retirement and pensionary benefits to the petitioner without any further delay.

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

04.08.2023

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Internet : Yes

Index : Yes / No

Neutral citation : Yes / No

Speaking order / Nonspeaking order



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N. SATHISH KUMAR, J.

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To

- 1.The Principal Secretary to Government,
State of Tamil Nadu,
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Chennai – 600 009.
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Teynampet,
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