



W.P.No.3352 of 2021

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.01.2024

CORAM

THE HONOURABLE Ms.JUSTICE R.N.MANJULA

W.P. No.3352 of 2021

R.Pandian

...

Petitioner

/vs/

1. The Secretary to Government,
Agricultural Department, State of Tamil Nadu,
Fort St. George,
Chennai – 600 009.

2. The Secretary To Government,
Industrial Department,
State of Tamil Nadu, Fort St. George,
Chennai - 600 009.

3. The Directorate of Sugar,
No.690, Periyar Evr Building 2nd Floor,
Anna Salai Nandanam,
Nandanam, Chennai-600 003.

4. The President,



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Administrative Committee,
Dharmapuri District Cooperative Sugar Mills,
Pallacode,
Dharmapuri District-636 808.

5. The Managing Director,
Dharmapuri District Cooperative Sugar Mills,
Pallacode,
Dharmapuri District-636 808.

... Respondents

Writ Petition is filed under Article 226 of the Constitution of India to issue a writ of mandamus directing the respondent authorities to dispose of the petitioners representation / request dated 16.11.2019 and 16.12.2019 in the light of various circulars dated 05.07.2004, 14.09.2011 and 29.4.2003 within such time as may be stipulated by this Court.

For Petitioner	...	Ms.M.Sharusrimathi
For Respondents	...	Mr.M.Rajendran
		Additional Govt. Pleader for R1 & R2
		Mr.R.Balaramesh for R5

ORDER



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This Writ Petition has been filed to direct the respondent authorities to dispose the petitioner's representation dated 16.11.2019 and 16.12.2019.

2. The petitioner who is said to have joined the service as a Cane Officer in the year 1984 has given representations to the respondents to release his retiral benefits.

3. The grievance of the petitioner is that his retiral benefits has not been settled so far. On 28.06.2019 when the petitioner attained superannuation, he was allowed to retire on an indemnity bond in view of the pending charges. However, on 22.02.2020 orders have been passed to drop the disciplinary proceedings on accepting the Domestic Enquiry report.

4. Mr.R.Balaramesh, the learned counsel for the fifth respondent, submitted that the petitioner's terminal benefits in respect of the period between 01.06.1984 to 12.06.1997 and from 18.06.1997 to 22.05.2016 have to be paid by Aringnar Anna Sugar Mills Limited and N.P.K.R.R. co-operative Sugar Mill, Mayiladuthurai respectively. It is further submitted



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that the petitioner was working in the above said sugar mills during the relevant period mentioned above.

5. The disciplinary proceedings initiated by those factories against the petitioner is said to be still pending and it is up to sugar mills to deal with the claim of the petitioner pertaining to the above said period. The petitioner is said to have been working from 23.05.2016 to 30.06.2019 at the fifth respondent mill. So the fifth respondent has settled the terminal benefits for the above said period and paid the same to the petitioner on 07.03.2020. The petitioner did not implead Aringnar Anna Sugar Mills Limited and N.P.K.R.R. co-operative Sugar Mill, Mayiladuthurai respectively as parties to this proceedings. The petitioner is seen to have filed this writ petition without exhausting the statutory remedy available to him under Section 153 of Tamil Nadu Cooperative Societies Act, 1983.

6. Even though it is not a bar for the respondents to consider the representation of the petitioner and pass appropriate orders, the petitioner has also got the liberty to initiate appropriate proceedings under Section



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153 of Tamil Nadu Cooperative Societies Act, 1983.

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7. With the above observation, this Writ Petition is disposed. No costs.

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Index: Yes / No
Speaking order / Non-speaking order
bkn



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R.N.MANJULA ,J.

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To:

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