



W.P.No.9090 of 2020

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.10.2024

CORAM

THE HON'BLE MR. JUSTICE G.K. ILANTHIRAIYAN

W.P.No.9090 of 2020

S. Kannan

... Petitioner

Vs.

1. The Chief Engineer,  
Chennai Region / CEDC South,  
TANGEDCO, Anna Salai, Chennai - 2.

2. The Superintending Engineer,  
CEDC / South - I, TANGEDCO,  
K.K.Nagar, 110 KV Sub- Station,  
Chennai - 600 078.

... Respondents

**PRAYER:** Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, to direct the respondents to disburse the amount of gratuity payable and due to the petitioner within time frame.

For Petitioner : Mr.B.Tirumalai

For Respondents : Mr. David Sunder Singh  
Standing Counsel

**ORDER**

This writ petition has been filed for a direction, directing the respondents to disburse the gratuity payable to the petitioner.



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2. The petitioner was appointed in the respondents' office as Switch Board Operator on 14.05.1984. Subsequently, he was promoted to the post of Junior Engineer Grade - II and then as Junior Engineer Grade - I. Thereby, he was promoted to the post of Assistant Executive Engineer on 08.12.2006. While being so, the petitioner was suspended from service on the charge that he was arrested and remanded to Judicial Custody for the offences committed by the petitioner under Prevention of Corruption Act. After filing final report in the criminal case, Trial is pending in Spl. C.C. No.10 of 2010. In the meanwhile, the petitioner attained the age of superannuation and he was paid with all benefits except gratuity.

3. On written instructions, the learned standing counsel submitted that the petitioner was paid all the benefits except gratuity. Now the petitioner is facing criminal case and it is pending for Trial. In so far as payment of gratuity is concerned, it is under consideration. Already the petitioner was permitted to retire and he is receiving pension from the respondents. Though criminal proceedings has been pending against the petitioner, he is entitled for gratuity and shall not be withheld.



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4. In view of the above, the respondents are directed to disburse the gratuity amount to the petitioner within a period of eight weeks from the date of receipt of a copy of this order.

5. Accordingly, this writ petition is disposed of. There shall be no orders as to costs.

**01.10.2024**

Index : Yes/No  
Speaking Order : Yes / No  
Neutral Citation Case: Yes / No  
ab

To

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**G.K. ILANTHIRAIYAN. J.,**

ab

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