



WEB COPY



W.P.Nos.13828 & 11226 of 2020

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.02.2024

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THE HONOURABLE MS.JUSTICE R.N.MANJULA

W.P.Nos.13828 & 11226 of 2020 and
W.M.P.Nos.13692 & 17193 of 2020

1. P.Krishnamurthy
2.A.Subramanian
3.D.Ganesan ... Petitioners in W.P.No.13828 of 2020

1.R.Uthirapathy
2.A.Vijayakumar
3.R.Desingu
4.E.Punniakotti ... Petitioners in W.P.No.11226 of 2020
Vs.

1.The Chairman cum Secretary to Government,
(Agriculture), PASIC,
Chief Secretariat, Puducherry 605009.

2.The Managing Director,
Puducherry Agro Service and
Industries Corporation Limited,
Thattanchavady,
Puducherry 605 009.

... Respondents in both W.Ps

Prayer in both W.Ps: Writ Petitions are filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, to direct the respondents to settle the retirement benefits on the basis of the



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petitioners' representation dated 31.08.2020, 29.06.2020, 25.06.2020, 23.07.2018 and 22.07.2020 respectively with all consequential arrears of salary and other retirement benefits.

In both W.Ps

For Petitioners : Mr.M.Gnanasekar

For Respondents : Mr.R.Sreedhar, AGP for R1
Mr.T.M.Naveen, Standing Counsel
for R2

COMMON ORDER

These Writ Petitions have been filed for the issuance of a Writ of Mandamus, to direct the respondents to settle the retirement benefits on the basis of the petitioners' representation dated 31.08.2020, 29.06.2020, 25.06.2020, 23.07.2018 and 22.07.2020 respectively with all consequential arrears of salary and other retirement benefits.

2. Heard Mr.M.Gnanasekar, learned counsel for the petitioners, Mr.R.Sreedhar, learned Additional Government Pleader for R1 and Mr.T.M.Naveen, learned Standing Counsel for R2.



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3. The petitioners who were the employees of the second respondent Corporation have filed these Writ Petitions seeking a direction to the respondents to settle the retirement benefits of the petitioners.

4. In fact there is no dispute as to the entitlement of the petitioners to get the retirement benefits. The only concern raised by the learned Standing Counsel for the second respondent is that the Corporation is facing a huge financial crisis and it is not in a position to settle any of the financial commitments including the salary arrears of the petitioners.

5. It is learnt that for E.Punniakotti the retirement benefits were partially paid and the rest of the petitioners have been fully paid with the retirement benefits. It is reliably learnt that the Government has also granted approval for winding up the respondent Corporation and the respondent Corporation has also initiated winding up process. It is unfortunate for the second respondent who is not able to fulfill its



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commitments towards payment of salary arrears against its own employees who had rendered their service and especially for those employees who have retired from service on attaining the age of superannuation.

6. Since the winding up process of the respondent Corporation has been initiated, it is the first respondent who has to take appropriate steps along with the second respondent to settle the salary dues of the petitioners by considering it as the top most priority. So the petitioners are at liberty to give representation to the first respondent as well. On receipt of the same, the first respondent shall take all practical steps by being empathetic to the plight of the petitioners and do the needful as early as possible.

7. With these observations, these Writ Petitions are disposed. No costs. Consequently, connected miscellaneous petitions are closed.

29.02.2024

Index : Yes /No



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Speaking / Non-speaking
Neutral Citation : Yes / No
gsk

To

- 1.The Chairman cum Secretary to Government,
(Agriculture), PASIC,
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- 2.The Managing Director,
Puducherry Agro Service and
Industries Corporation Limited,
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R.N.MANJULA, J.

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