



WEB COPY



W.P.No.219 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.01.2024

CORAM:

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

W.P.No.219 of 2024

V.K.Ponnusamy

...Petitioner

-Vs-

1.The Tamil Nadu Civil Supplies Corporation,
Represented by its Managing Director,
Head Office at No.12, Thambu Samy Road,
Kilpauk,
Chennai – 600 010.

2.The Regional Manager,
Tamilnadu Civil Supplies Corporation,
Chennai (South) Region,
Gopalapuram,
Chennai – 600 086.

... Respondents

Prayer : Writ Petition filed under Article 226 of Constitution of India praying for the issuance of a Writ of Mandamus, directing the 1st respondent to consider the representation of the petitioner dated 14.02.2023 and to release earned leave encashment and other retirement benefits payable to him in pursuance of his retirement from service with effect from 31.01.2020 within the time frame fixed by this Hon'ble Court.



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For Petitioner : Mr.T.Ramkumar

For Respondents : Mr.C.Selvaraj
Standing Counsel

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ORDER

This Writ Petition has been filed for direction directing the 1st respondent to consider the representation of the petitioner dated 14.02.2023 and to release earned leave encashment and other retirement benefits payable to him in pursuance of his retirement from service with effect from 31.01.2020 within the time frame fixed by this Hon'ble Court.

2. Heard the learned counsel on either side and perused the materials available on record.

3. The petitioner had joined the service of the respondent Corporation in the year 1983. While he was in service, he was served with a charge memo dated 01.03.2019 and a criminal case was also registered against the petitioner. Therefore, he is facing disciplinary proceedings. However, he had attained the age of superannuation and he was permitted to retire from service as on 31.01.2020.



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4. A perusal of the relieving order dated 31.01.2020 revealed that he is facing serious charge and also a criminal case is pending against him. Therefore, without prejudice to the right of the respondents, he was permitted to retire from service. Further, there is a due from the petitioner to the tune of Rs.43,557/- in respect of loan availed by the petitioner. Only on condition, he was permitted to retire from service.

5. Therefore, the representation made by the petitioner cannot be considered. However, the respondents are directed to complete the disciplinary proceedings and pass final order, within a period of twelve weeks from the date of receipt of a copy of this order. Thereafter, the petitioner is at liberty to submit a fresh representation for his retirement benefits. If at all the petitioner is entitled for any benefits, the same may be disbursed by the respondents on merits and in accordance with law.

6. With the above directions, this writ petition is disposed of. There shall be no order as to costs.

09.01.2024

Internet: Yes

Index : Yes/No



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Speaking/Non Speaking order
mn

G.K.ILANTHIRAIYAN. J,

mn

To

- 1.The Managing Director,
The Tamil Nadu Civil Supplies Corporation,
Head Office at No.12, Thambu Samy Road,
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Chennai – 600 010.
- 2.The Regional Manager,
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