



W.P.(MD).No.1916 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 31.01.2024

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THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI

W.P.(MD).No.1916 of 2024

A.V.Arul Singh

... Petitioner

Vs.

1.The Chairman,
Arasu Rubber Corporation Ltd.,
T.N.Bio-Diversity Green Project
Office Building,
Vellachery-Tambaram Main Road,
Nanmangalam, Medavakkam Post,
Chennai-600 100.

2.The Managing Director,
Arasu Rubber Corporation Ltd.,
Registered Office,
Vadasery, Nagercoil,
Kanyakumari District-629 001.

3.The Division Manager,
Chithar Division,
Arasu Rubber Corporation Ltd.,
Chithar Colony Post,
Kanyakumari District-629 161.

... Respondents



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Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the 1st respondent to direct the respondents 2 and 3 to disburse the Gratuity and Leave Encashment and all other terminal benefits along with interest to the petitioner by considering the representation dated 29.09.2023 and 03.11.2023 within the time period stipulated by this Court.

For Petitioner : Mr.S.Rajasekar

For Respondents : Mr.A.K.Manickam,
Special Government Pleader

ORDER

The present writ petition has been filed seeking direction to the 1st respondent to direct the respondents 2 and 3 to disburse the Gratuity and Leave Encashment and all other terminal benefits along with interest to the petitioner by considering the representation dated 29.09.2023 and 03.11.2023 within the time period stipulated by this Court.

2. The brief facts which are necessary for the disposal of this Writ Petition is as follows:-



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The petitioner was appointed in the respondent Arasu Rubber Corporation Limited as Field Assistant. On completion of 20 years of service, the petitioner was awarded with Special Grade in the post of Field Assistant and further he was promoted as Field Officer on 14.10.2016. On attaining the age of superannuation, the petitioner retired from service on 30.06.2023. However, the petitioner did not receive gratuity, leave encashment and other terminal benefits. Hence, the petitioner made a representation dated 29.09.2023 to disburse the gratuity and other benefits. Since the same was not considered by the respondents, the petitioner made a detailed representation dated 03.11.2023 to disburse the gratuity and earned leave benefits along with an interest of 8.2%.

3. Heard the learned Counsel appearing for the petitioner and the learned Special Government Pleader appearing for the respondents and perused the materials available on record.

4. It is needless to point out that whenever a representation of this nature is made to a Statutory Authority, there is a duty cast upon the respondent to



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consider the same on its own merits and pass appropriate orders in one way or other instead of keeping the same pending indefinitely. As such, non-consideration of the representation made by the Statutory Authority would amount to dereliction of duty and hence, this Court will be justified in invoking the extraordinary powers under Article 226 of the Constitution of India.

5. It is made clear that without going into the merits of this case, this Court hereby directs the respondents to consider the representations of the petitioner dated 29.09.2023 and 03.11.2023 and pass appropriate orders in accordance with law within a period of twelve (12) weeks from the date of receipt of a copy of this order.

6. Accordingly, this Writ Petition stands disposed of. No costs.

31.01.2024

NCC : Yes / No
Index : Yes / No
Internet : Yes
Sml



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L.VICTORIA GOWRI, J.

Sml

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