



W.P.(MD)No.12540 of 2021

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 23.07.2024

CORAM

THE HONOURABLE MRS JUSTICE L.VICTORIA GOWRI

W.P.(MD)No.12540 of 2021

Kulandaivel

... Petitioner

Vs.

The Liquidator (Official),
Tamil Nadu Agro Engineering and Service
Co-operative Federation Limited,
(AGROFED),
55, Thiru.Vi.Ka.Industrial Estate,
Eekattuthaangal,
Chennai-600 097.

... Respondent

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondent to forthwith pay the withheld amount of Rs.1,39,359/- being the retrenchment amount for the period of service rendered by the petitioner as Block Manager in Vadamadurai block between 22.05.1987 to 13.07.1990, together with the interest at the rate of 18% on the basis of the petitioner's representation dated 13.08.2020 within the time stipulated by this Court.

For Petitioner : Mr.P.M.Vishnuvarthanan

For Respondent : Mr.K.S.Selvaganesan,
Additional Government Pleader



W.P.(MD)No.12540 of 2021

Subsequently, he was promoted as District Manager and posted at Madurai and served from 16.08.1994 to 24.04.1995 and then, transferred to Manamelkudi Block, wherein, he served for two years and then, he was transferred to Thanthoni Agro, Thanthoni Block at Karur District on 04.06.1997 and joined duty on 11.06.1997.

3.1. While working at Karur District, the Tamil Nadu Agro Engineering and Service Co-operative Federation was closed under Section 25FFF of the Industrial Dispute Act, 1947 with one month notice and all the employees including the petitioner were terminated and an Official Liquidator was also appointed to deal with all the accounts of the Tamil Nadu Agro Engineering and Service Co-operative Federation Limited. From 30.11.2004, all the employees including the petitioner repeatedly made a representation to the respondent Liquidator to disburse the retrenchment amount. However, withholding an amount of Rs.1,39,359/- the other amount to which the petitioner is entitled was paid by the Liquidator. Since the withheld amount was not paid, the petitioner made several representations and the last of which was on 13.08.2020. Since the same was not considered, this Writ Petition came to be filed.



W.P.(MD)No.12540 of 2021

4. Relying upon the counter affidavit filed by the respondent, Mr.K.S.Selvaganesan, learned Additional Government Pleader would submit that the withheld amount was with respect to certain official lapses attributable to the petitioner while he was in service. However, the representation made by the petitioner can be considered in accordance with law.

5. In view of the same and in view of the limited scope of the relief sought for by the petitioner, this Court hereby directs the respondent to consider the representation made by the petitioner on 13.08.2020 and pass appropriate order on merits and in accordance with law within a period of three weeks from the date of receipt of a copy of this order.

6. Accordingly, the Writ Petition stands **disposed of**. No costs.

23.07.2024

NCC:yes/no
Index:yes/no
Internet:yes/no
TSG



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W.P.(MD)No.12540 of 2021

L.VICTORIA GOWRI, J.

TSG

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