



WP(MD)No.20790 of 2016

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 27.08.2024

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

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N.Pitchandi,
President,
TNPL Staff Association,
No.28, Bharathiar Street,
Moohambikai Flats,
No.F-5, Block No.2,
Palavanthangal, Chennai.

... Petitioner

Vs

1.The Principal Secretary to the Government,
Finance Department,
Fort St.George,
Chennai – 600 009.

2.The Chairman cum Managing Director,
Tamil Nadu Newsprint and Papers Ltd,
67, Mount Road,
Guindy,
Chennai – 32.

3.The General Manager (HR),
Tamil Nadu Newsprint and Papers Ltd,
Kagithapuram,
Karur, Tamil Nadu.

...Respondents



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PRAYER : Writ Petition filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Mandamus, directing the first respondent to take suitable and appropriate action against the respondents 2 & 3 for their illegal acts committed in misappropriating the funds of the TNPL Company in payment of Bonus to its A and B class employees more fully by suppressing all the materials factors.

For Petitioner	: No appearance
For R1	: Mr.G.V.Vairam Santhosh, Additional Government Pleader
For R2 & R3	: Mr.M.P.Senthil

ORDER

This writ petition was filed by one N.Pitchandi, in the capacity of the President of Staff Association of Tamil Nadu Newsprint and Papers Limited, Karur, for a Mandamus, directing the first respondent to take appropriate action as against the respondents 2 & 3 that they have misappropriated the funds of the TNPL.



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2. Though this writ petition was filed in the year 2016, it

is not admitted so far. When this writ petition was listed on 01.11.2016, a request was made on behalf of the petitioner and therefore, it was adjourned by two weeks, by order dated 01.11.2016. Thereafter, this writ petition was listed on 13.07.2023 and on that day, there was no representation for the petitioner. Therefore, it was adjourned to 27.07.2023 and on that day also, there was no representation for the petitioner. Hence, the Registry was directed to list the matter on 10.08.2023 under the caption "for dismissal." On 10.08.2023, at request of the petitioner's counsel, the matter was once again adjourned to 24.08.2023. The case was repeatedly adjourned for several times at the instance of the petitioner's counsel till 14.08.2024.

3. On 14.08.2024, the learned counsel appearing for the respondents 2 & 3 has raised preliminary objection for entertaining this writ petition on the ground that this writ petition was filed by a dismissed employee/the petitioner herein, in the capacity as



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President of TNPL Staff Association, in the month of November 2016, when he was dismissed from service on 30.05.2016 itself. It was also reported that the petitioner is no longer a staff of the Tamil Nadu Newsprint Papers Limited as on date and therefore, he cannot maintain this writ petition as a President of TNPL Staff Association. Considering that there was no representation for the petitioner on that day, this writ petition was directed to be listed on 22.08.2024, under the caption "for orders". On 22.08.2024, an adjournment was sought for by the learned counsel for the petitioner and therefore, this Court directed the petitioner's counsel to meet out the preliminary objections raised by the learned counsel for the respondents 2 & 3 and adjourned the matter to 27.08.2024, under the caption "for orders". Even today(27.08.2024), there is no representation for the petitioner.

4.Considering that there is no representation for the petitioner even after providing sufficient opportunities, considering the preliminary objections raised by the learned counsel for the



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respondents 2 & 3 that the petitioner was dismissed from service in the month of May 2016 itself and the fact that the petitioner is no longer in service in Tamil Nadu Newsprint and Papers Limited, Karur, this writ petition is dismissed. No costs.

27.08.2024

NCC :Yes/No
Index :Yes/No
Internet : Yes/No
vrn

To

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- 2.The Chairman cum Managing Director,
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B.PUGALENDHI,J.

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