



W.P.(MD).No.26382 of 2024

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 14.11.2024

CORAM:

THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR

W.P.(MD)No.26382 of 2024

and

W.M.P.(MD).No.22353 of 2024

V.Sathya Moorthy

... Petitioner

VS

1.The Managing Director,
Head Office of Tamilnadu Civil Supplies Corporation,
TamilNadu Civil Supplies Corporation Department,
Chennai.

2. The Senior Regional Manager,
Tamilnadu Civil Supplies Corporation Department,
Thanjavur Region,
Thanjavur District.

... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, to call for the records pertaining to the second respondent's proceeding in Na.Ka.No.M3/28577/04 dated 23.11.2009, and quash the same as illegal and consequently directing the respondents to disburse the arrears of salary, Family Welfare Fund, General Provident Fund, Pension and all other monetary benefits to the petitioner by considering the petitioner's representation dated 13.09.2024.



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W.P.(MD).No.26382 of 2024

For Petitioner : Mr.B.Anandan
For Respondents : Mr.R.Satheesh
Standing Counsel

ORDER

The instant writ petition has been filed by an Assistant working in the TamilNadu Civil Supplies Corporation, challenging the order passed by the second respondent herein, wherein the petitioner has been inflicted with a punishment of removal from service.

2. A perusal of the impugned order reveals that it has been passed on 23.11.2009, and the writ petition has been filed in the year October-2024 i.e., after a period of fifteen years. No proper reasons have been assigned for the laches. Further, it could be seen that the order impugned in this writ petition is an appealable order to the first respondent. Without invoking the alternative remedy, the said writ petition has been filed belatedly.

3. The learned Counsel appearing for the writ petitioner further submits that the petitioner has been acquitted from the criminal case on 20.07.2023. On instructions, the learned Counsel appearing for the writ petitioner submits that he would be satisfied if the eligible monetary benefits are released to the writ petitioner.



W.P.(MD).No.26382 of 2024

WEB COPY

4. The learned Standing Counsel appearing for the respondents on instructions submits that the entire eligible monetary benefits would be released to the writ petitioner.

5. In view of the above said facts, the respondents herein are directed to disburse the eligible terminal benefits to the writ petitioner within a period of twelve weeks from the date of receipt of a copy of this order.

6. With the above said observations, this writ petition is disposed of.
No costs. Consequently, connected miscellaneous petition is closed.

14.11.2024

NCC : Yes/No
Index : Yes / No
Internet : Yes / No
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W.P.(MD).No.26382 of 2024

R.VIJAYAKUMAR,J.

gvn

To

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Chennai.

2. The Senior Regional Manager,
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W.P(MD)No.26382 of 2024

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