



W.P.No. 1502 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22.01.2025

CORAM:

THE HONOURABLE **MRS. JUSTICE V.BHAVANI SUBBAROYAN**

W.P.No.1502 of 2025

1. V. Umesh

2. B. Sathish Kumar

3. J.J. Sivakumar

4.A.M.Sivakumar

5.K.Mani

.. Petitioners

Versus

1.The Chairman cum Managing Director,
TASMAC Ltd.,
CMDA Tower-II, 4th Floor, Egmore
Chennai 600 008.

2. The District Manager,
TASMAC Ltd.,
Nilgiris District,
Vandicholai, coonoor, The Nilgiris.

...Respondents



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Prayer: This petition is filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the second respondent to consider and pass appropriate orders on petitioner's representation dated 30.10.2024 and 29.11.2024 and pay the eligible Bonus to the petitioners for the accounting year 2023-2024 and pass orders.

For Petitioners	: Mr.R. Sivakumar
For Respondents	: Ms. H. Saranya, Standing counsel

ORDER

By consent of both parties, this writ petition is taken up for final disposal at the stage of admission itself.

2. This writ petition is filed seeking to issue a Writ of Mandamus directing the second respondent to consider and pass appropriate order on petitioner's representation dated 30.10.2024 and 29.11.2024 and pay the eligible Bonus to the petitioners for the accounting year 2023-2024 and pass orders.



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3. The facts of the case are that the petitioners are workers of the Respondent/Organisation. The second respondent vide common order dated 07.05.2024 suspended the petitioners from their service and also not paid the subsistence allowance, due to which the petitioners filed W.P.No.21328 of 2024, wherein this Court vide order dated 31.08.2024 directed the second respondent therein to pay the subsistence allowance along with arrears. In spite of the orders passed by this Court the second respondent is irregular in payment of subsistence allowance. On the other hand the second respondent proceeded with the disciplinary enquiry and held that the charges are proved. Challenging the report of the enquiry officer petitioners filed W.P.No.31605 of 2024 directing the respondents to produce the records pertaining to the enquiry proceedings for perusal. The sum and substance of the case is that the State Government vide G.O(Ms) No.310 dated 14.10.2024 had declared Bonus to the employees to the Respondent/Corporation for the accounting year 2023-2024 and the employees were paid bonus. The grievance of the petitioners are that the petitioners were also eligible for bonus for the



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accounting year 2023-2024 and the same was denied to the petitioners, due to which the petitioners gave representation to the respondents on 30.10.2024 and on 29.11.2024 and the same was not considered till date. Hence, this petition.

4.The learned counsel for the petitioners submitted that under the payment of Bonus Act especially under Section 8 of the Payment of Bonus Act, a workman who have worked not less than 30 days in an Accounting year is eligible to receive bonus for that accounting year. Due to the reason that the petitioners are placed under suspension or a disciplinary enquiry is pending cannot be a ground for denial of bonus. Hence prays to allow this petition.

5.The learned Standing counsel appearing for the respondents submitted that the representation of the petitioner will be considered on merits and in accordance with law.

6. Considering the facts and circumstances of the case this Court



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directs the respondents to consider the representation of the petitioners and pay the eligible bonus to them to which they are entitled and pass orders within a period of four weeks from the date of receipt of a copy of this order.

7. With the above observations this writ petition stands disposed of. No order as to costs. Post the matter under the caption for reporting compliance on 26.03.2025.

22.01.2025

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Speaking order : Yes/No

Neutral citation : Yes/No

Index : Yes/No

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To

1.The Secretary to Government,
Adi-Dravidar and Tribal Welfare Department,
Secretariat, Chennai 600 005.

2. The Commissioner,
Adi-Dravidar Welfare Department,
Ezhlilagam, Chepauk, Chennai 600 005.

3. The Director,
Tribal Welfare Department, Ezhilagam,
Chepauk, Chennai – 600 005.

4. The Adidravidar and Tribal Welfare Officer,
Fingar Post, Kandhal Udthagamandalam,



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Nilgiris
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V.BHAVANI SUBBAROYAN, J.

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