



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06-11-2025

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THE HONOURABLE MR.JUSTICE K. SURENDER

**WP No. 15257 of 2012
and MP.Nos. 1 and 2 of 2012**

Sudeep A.Mathew

Petitioner

Vs

1. The Oil And Natural Gas Commission,
Rep. By Its Chairman And Managing
Director, Mr.B.S.Negi Bhawan,
Tel Bhawan,
Dehradun-248 003, Uttranchal.

2.The Executive Director,
Chief (Human Resources & Development),
Oil & Natural Gas Commission,
Tel Bhawan, Dehradun-248 003,
Uttranchal.

3.The Deputy General Manager,
Hr-ER, ONGC, 7th Floor,
CMDA Towers, Tower-1,
Egmore, Chennai-8.

Respondents

PRAYER

This Writ Petition is filed under Article 226 of Constitution of India seeking Writ of Certiorarified Mandamus to call for the records of the respondent comprised in impugned order dated 25.05.2011 in No.DDN/HRD/DS/REP/PRP/2011 and consequential order dated 11.08.2011 in No.DDN/HRD/DS/REP/PRP/2011 and quash the same as arbitrary, illegal, unconstitutional and consequently restrain the respondents from in any manner referring to the charges as contained in the impugned order dated 25.05.2011 in No.DDN/HRD/DS/REP/PRP/2011 and consequently order dated 11.08.2011 in No.DDN/HRD/DS/REP/PRP/2011 for the purpose of recording any adverse remarks in SAP as well as personal dossier for documentation purposes so as to



present to the Departmental promotion Committee, and direct the respondents to credit the remaining sum of Rs.1,33,671/- towards performance related pay for the year 2009-10 with interest @ 24 percentage p.a from August 2011 till the date of payment. (Prayer amended vide order dated 25.08.2025 made in WMP.No.8304 / 2025 in WP.NO.15257/2012 by MSKJ).

For Petitioner(s): M/s.S.Ramesh

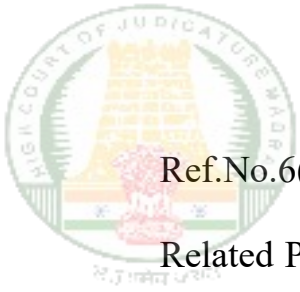
For Respondent(s): M/s.Mani Sundaragopal for R1 To R3

ORDER

This Writ Petition is filed by the petitioner challenging the order dated 25.05.2011 made in NO.DDN/HRD/DS/REP/PRP/2011 and seeking consequential direction to the respondent to pay a sum of Rs.1,33,671/- towards Performance Related Pay for the year 2009-10 with along interest.

2. The petitioner joined the respondent organization as Assistant Executive Engineer in the Drilling Department on 01.02.1988. While working in Assam during 2009, he applied for transfer on the basis of completion of three years of service in Assam. The petitioner opted for Chennai, Karaikal and Goa. In March 2010, petitioner was transferred to Karaikal. In May 2010, the mother of the petitioner addressed letters to various authorities seeking their intervention for the transfer of petitioner from Karaikal to Chennai so as to take care of her.

3. On 05.10.2010, the petitioner was transferred from Karaikal to Chennai. Prior to his transfer, an office order dated 16.07.2010 vide



Ref.No.6(1)/2010-AT-1010-HRP was passed proposing a cut in Performance Related Payment (hereinafter referred to as PRP) to the tune of 50% of eligible amount to that year. The said office order was passed Mr.Tauquir Hussain, Executive Director of Chief HRD. According to the respondent, 50% deduction was on account of VIP reference that was made for the purpose of transfer.

4. The petitioner made representation requesting not to deduct the 50% of the PRP and pay back the said amount. On 25.05.2011, the impugned orders vide Ref.No.6(12)/09-CP, were passed stating that the Chief Manager (HR)-Corp.Police, ONGC, had gone through the file and did not agree to any kind of reversal of decision for cut in the 50% of PRP. Further the petitioner was asked not to make any representation in this regard.

5. The learned counsel appearing for the petitioner would submit that at no point of time, the petitioner approached any VIPs' for the purpose of making any references or influencing the respondent/Management for re-transfer from Karaikal to Chennai.

6. The learned counsel for the respondent on the other hand submits that it is the policy of the organization, in cases where a VIP makes reference and tries to influence the Management in service matters of employees to take steps such as cutting PRP etc. The learned counsel submits that though there is no letter on



file which has been addressed by VIPs', the mother of the petitioner has addressed letters to various authorities and copies of the said letters were also sent to the respondent organization.

7. Addressing letters by mother of the petitioner to VIP's will not amount to interference by VIPs, nor deemed references intervening in the respondent organization's service matters.

8. The last paragraph of the letter addressed by Mr.Tauqir Hussai, Executive Director, Chief HRD, dated 31.01.2011 would be relevant and the same is extracted hereunder:

"Shri Mathew is now seeking his PRP release claiming, that he had not brought any VIP pressure. It is a fact that there is no letter in the file which shows that he had approached VIP, however there are letters from his mother writing to various VIPs from time to time, copy of which are placed opposite. As desired the copied of all the references and the case file are placed opposite."

8. As evident from the above letter, it is admitted that there is no letter in the file indicating that the petitioner approached any VIP. However, there were letters addressed by his mother to various authorities. It is undisputed that the mother of the petitioner was suffering from cancer and undergoing treatment in Chennai. The mother's anguish and agony in seeking her son's transfer to Chennai, considering her ill-health, cannot be termed as extraneous influence on



the management in the respondent organization's service matters. The letter addressed by the petitioner's mother do not justify deducting 50% of the PRP payable to the petitioner. In the present peculiar facts and circumstances of the case, this Court finds that the order deducting 50% of PRP cannot be sustained and has to be set aside.

9. Accordingly, this Writ Petition is allowed. The respondents are hereby directed to pay a sum of Rs.1,33,671/- towards Performance Related Pay to the petitioner for the year 2009-10. It is needless to say that if the petitioner is eligible for any interest, the same shall be paid to him, in accordance with the rules of the respondent's organization, within a period of eight weeks from the date of receipt of copy of the order. There shall be no order as to costs. Consequently, connected Miscellaneous petitions are closed.

K.SURENDER, J.
06-11-2025

Jai
Index: Yes/No
Speaking/Non-speaking order
Internet: Yes
Neutral Citation: Yes/No



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To

1.The Oil And Natural Gas
Commission, Rep. By Its Chairman
And Managing Director, Mr.B.S.Negi
Bhawan, Tel Bhawan, Dehradun-248
003, Uttranchal.

2.The Executive Director,
Chief (Human Resources And
Development), Oil And Natural Gas
Commission, Tel Bhawan,
Dehradun-248 003, Uttranchal.

3.The Deputy General Manager,
HR-ER, ONGC, 7th Floor, CMDA
Towers, Tower-1,
Egmore, Chennai-8.

W.P.No.15257 of 2012



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