



W.P.No.25795 of 2019

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.03.2025

CORAM

THE HONOURABLE MS.JUSTICE R.N.MANJULA

W.P.No.25795 of 2019

Paramasivam

... Petitioner

Vs.

1.The Principal Secretary / Managing Director,
Tamil Nadu Civil Supplies Corporation,
No.12, Thambusamy Road,
Kilpauk, Chennai 600 010.

2.The Regional Manager,
Raghavan Commercial Complex,
2nd Floor, No.36, Vellala Street,
Ariyalur District - 621 704.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, to call for the records pertaining to the proceedings of the 1st respondent in Se.Mu.AA.No.AD2/63710/2014 dated 10.11.2016 and consequently, direct the respondents to disburse the petitioner's service benefits viz., gratuity, bonus and retirement benefits.

For Petitioner : Mr.K.Anbuselvan

For Respondents : Mr.S.Senthil Kumar



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ORDER

This Writ Petition has been filed to call for the records pertaining to the proceedings of the 1st respondent in Se.Mu.AA.No.AD2/63710/2014 dated 10.11.2016 and consequently, direct the respondents to disburse the petitioner's service benefits viz., gratuity, bonus and retirement benefits.

2. Heard Mr.K.Anbuselvan, learned counsel for the petitioner, Mr.S.Senthil Kumar, learned Standing Counsel for the respondents and perused the materials available on record.

3. The petitioner was working as a Record Clerk in the respondent Corporation and has been dismissed from service on 27.06.2014. The First Appeal preferred before the first respondent was also dismissed on 10.11.2016. The petitioner has filed this Writ Petition challenging the order of punishment imposed by the second respondent and the order confirming the same passed by the first respondent appellate authority.



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4. The learned counsel for the petitioner submitted that the impugned order has been passed without appreciating the merits of the matter.

5. The learned Standing Counsel for the respondents submitted that the petitioner has chosen to be in unauthorized absence from 28.09.2011 to 21.03.2013. The second respondent has framed charges against the petitioner in accordance with TNCSC Employee's Service Rules and a Domestic Enquiry Officer was appointed on 21.11.2013. After conducting the enquiry, the Enquiry Officer submitted his report on 02.06.2014 by stating that the charges are held to be proved.

6. The petitioner has not raised any grounds either on facts or on law, but assailed the impugned orders. A proper enquiry has been conducted during the disciplinary proceedings against the petitioner and that has culminated into an order of punishment on the charges against the petitioner were proved. It is brought to the knowledge of the Court



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that on 21.04.2016 some communication has been established by the Manager (Gratuity) of TNCSC to the petitioner with regard to payment of his gratuity. If the same has not been paid so far, the second respondent shall renew the communication with the authority concerned and ensure the gratuity, if any, payable to the petitioner is paid. However, I do not find any merits in the Writ Petition.

7. In the result, this Writ Petition is dismissed. No costs.

Index : Yes /No
Speaking / Non-speaking
Neutral Citation : Yes / No
gsk

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R.N.MANJULA, J.

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