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W.P.No.27000 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.07.2025

CORAM

THE HONOURABLE MR.JUSTICE C.KUMARAPPAN

W.P.No.27000 of 2024

C.Amalanathan

... Petitioner

Vs.

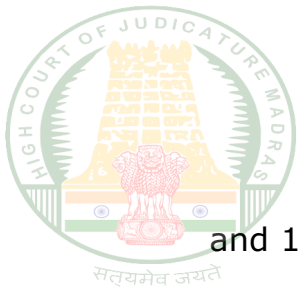
1.The Managing Director,
Tamilnadu Civil Supply Corporation,
Head Office,
No.12, Thambusamy Road,
Kilpauk,
Chennai – 600 010.

2.The Regional Manager,
Tamilnadu Civil Supply Corporation,
Sidco Complex,
Vellore Road,
Vengaikal,
Tiruvannamali – 606 604.

... Respondents

Prayer:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the first respondent to disburse the retirement benefits namely Provident Fund, Gratuity Special Provident Fund, Earn leave Surrender and pension as per EPF, 1995 Pension Scheme in view of the representations dated 12.06.2022, 06.03.2023



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and 19.06.2023.

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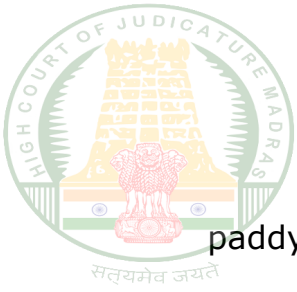
For Petitioner : Mr.P.Tamilavel
For Respondents : Mr.C.Selvaraj
Additional Government Pleader

ORDER

The instant writ petition has been filed seeking a prayer for Mandamus to direct the respondents to settle the terminal benefits.

2.It is the contention of the learned counsel appearing for the petitioner that the petitioner was relieved on 30.06.2022, however, his service was retained for the purpose of conducting disciplinary proceedings. It is his further submission that subsequent to the relieving order, charge memorandum was issued against the petitioner on 17.04.2023 and based on the disciplinary proceedings, the respondents are not disbursing the terminal benefits. The learned counsel would further submit that similarly placed persons were disbursed with terminal benefits vide order dated 29.05.2025.

3.The learned Additional Government Pleader would vehemently submit that there is serious allegations against the petitioner of committing grave mis-conduct. He would further submit that during 2020 – 2021, there were large scale of irregularities in purchase of



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paddy from the traders and middlemen which involves loss to the Government to the extent of more than a Crore. The learned counsel would further contend that apart from the registration of criminal case against the petitioner a charge memorandum also has been issued on 17.04.2023. Therefore the question of releasing the terminal benefits does not arise.

4.I have given my anxious considerations to either side submissions.

5.While looking at the relieving order dated 30.06.2022 by referring Section 13(c) of the Tamil Nadu Civil Supplies Corporation Service Rules, the petitioner's service was retained for the purpose of conducting disciplinary proceedings. Therefore, when there is disciplinary proceedings pending against the petitioner, the question of claiming terminal benefits does not arise.

6.At this juncture, the learned Additional Government Pleader would submit that provident fund to an extent of 90% was already settled.



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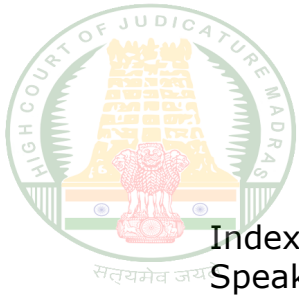
7. In such view of the submission and on account of the pendency of the disciplinary proceedings as well as criminal proceedings, this Court is not inclined to issue any Mandamus to the respondents to pay any amount. However, liberty is granted to the petitioner to make representation claiming subsistence allowance, if any, due. If such representation is made, the respondents shall consider the said representation upon its own merits and in accordance with law and pass orders, within a period of four weeks from the date of receipt of a copy of this order.

8. While looking at the facts, the petitioner was retired during the year 2022, disciplinary proceedings were initiated during the years 2023 and 2024. Since the petitioner retired during the year 2022, as rightly contended by the learned counsel appearing for the petitioner, the petitioner is entitled to have a speedy trial in the disciplinary proceedings. Hence, the respondent is directed to complete the disciplinary proceedings initiated against the petitioner within a period of four months from the date of receipt of a copy of this order. The writ petition is disposed of. No costs.

16.07.2025

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Index: Yes/ No
Speaking Order: Yes/ No
NCC: Yes/ No

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To

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C.KUMARAPPAN,J.
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