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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 12-11-2026

CORAM

THE HON'BLE MR.SUSHRUT ARVIND DHARMADHIKARI,

CHIEF JUSTICE

AND

THE HON'BLE MR. JUSTICE P.VELMURUGAN

WA(MD) No. 1641 of 2024

CNR:{HCMD011311252023}

Case QR

and C.M.P.(MD)No.12882 of 2024

Arasu Rubber Corporation Limited
Vadachery, Nagercoil -1,
Through its Managing Director

..Appellant

Vs

A.Sivaniah
S/o.Ayotthiyaraman,
East Mount Road,
Ponnappa Nadar Colony,
Nagercoil- 629 004,
Kanyakumari District.

..Respondent

PRAYER: Writ Appeal filed under Clause 15 of Letters Patent, to prefer this Memorandum of Grounds of writ appeal against the order dated 07-11-2022 passed in W.P.(MD).No.13229 of 2019 on the file of this Court.

For Appellant :Mr. M.P.Senthil

For Respondent :Mr.S.Louis

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JUDGMENT

(Judgment of the Court was delivered by The Chief Justice)

This Writ Appeal has been filed challenging the order dated 07.11.2022 passed by the learned Single Judge in W.P.(MD)No.13229 of 2019, allowing the Writ Petition and directing the appellant to disburse the gratuity, encashment of earned leave and contribution to the provident fund to the respondent within a period of twelve weeks.

2. Learned counsel appearing for the appellant submitted that the learned Single Judge erred in allowing the Writ Petition, inasmuch as serious charges were pending against the respondent in respect of possession of disproportionate assets and he had also been convicted in a criminal case. He further submitted that, during the pendency of this Writ Appeal, the respondent was dismissed from service of the appellant Corporation by order dated 22.12.2023. It is also submitted that the retiral benefits directed to be paid by the learned Single Judge have not been disbursed till date. In such circumstances, the direction issued by the learned Single Judge cannot be implemented. Hence, he prayed for allowing this Writ Appeal.

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3. Having considered the submissions made by learned counsel appearing for the appellant and taking note of the subsequent development, namely, the dismissal of the respondent from service by order dated 22.12.2023, we are of the view that the order passed by the learned Single Judge requires interference.

4. Accordingly, the order dated 07.11.2022 passed in W.P.(MD)No.13229 of 2019 is set aside and this Writ Appeal is allowed. However, liberty is granted to the respondent to submit a fresh representation seeking payment of his retiral benefits in accordance with the applicable rules and his entitlement, in the light of the subsequent order of dismissal. The appellant Corporation shall consider such representation and pass appropriate orders in accordance with law. It is also open to the respondent to challenge the order of dismissal dated 22.12.2023, if so advised. No costs. Consequently, connected miscellaneous petition is closed.

(SUSHRUT ARVIND DHARMADHIKARI, C.J.) (P.VELMURUGAN J.)

12-11-2026

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No
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SUSHRUT ARVIND DHARMADHIKARI, C.J.
AND
P.VELMURUGAN, J.

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