

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.04.2015

CORAM:

THE HONOURABLE MR. JUSTICE D.HARIPARANTHAMAN

Writ Petition No.10140 of 2015

V.Govindarajan

... Petitioner

vs.

1.Government of Tamil Nadu,
Represented by Secretary to Government,
Animal Husbandry, Dairying and Fisheries Department,
Chennai - 600 009.

2.The Registrar,
Tamil Nadu Veterinary and Animal Sciences University,
Madhavaram Milk Colony,
Chennai - 600 051.

3.The Dean,
Madras Veterinary College,
Chennai - 600 007.

... Respondents

Petition filed under Article 226 of the Constitution of India for the issuance of writ of Mandamus, directing the first respondent to pass orders for counting half of the services of the petitioner as Casual Labourer from 01.08.1989 to 15.05.2006 on daily wage basis along with his regular service as Attendant from 16.05.2006 till the date of his superannuation 30.04.2028 AN for reckoning the total qualifying service for pension and to sanction pensionary benefits to him on that basis.

For Petitioner : Mr.M.Ravi

For Respondents : Mr.V.Jayaprakash Narayanan
Spl.Govt.Pleader for R1

Mr.V.Gangatharan for R2

O R D E R

The petitioner was appointed as Casual Labourer (NMR) in the Department of Animal Bio Technology, Madras Veterinary College, Chennai on daily wage basis from 01.08.1989. His services were regularised vide order dated 12.05.2006 and was granted scale of pay of Rs.2550-3200 in the post of Attender. The petitioner has come up with this writ petition seeking for a direction to the first respondent to count half of the service rendered by him as Casual Labourer from 01.08.1989 to 15.05.2006 on daily wage basis along with his regular service as Attender from 16.05.2006 till the date of his superannuation on 30.04.2028 AN for reckoning the total qualifying service for pension and to sanction pensionary benefits to him.

2. As per Rule 11(2) of the Tamil Nadu Pension Rules, 1978, 50% of the contingency services will be taken into account for the purpose of pension, if the employee is subsequently absorbed in regular service. This Court had passed various orders on the above lines, and one such order was made in W.P.No.33732 of 2014 dated 19.12.2014 [R.Yuvaraj v. Government of Tamil Nadu, Rep. by Secretary to Government], wherein, this Court directed the respondents therein to count half of the service of the petitioner therein as Casual Labourer along with regular service for the purpose of pension. The respondents therein are the respondents herein also. The order dated 19.12.2014 in the said W.P.No.33732 of 2014 is implemented by the Tamil Nadu Veterinary and Animal Sciences University by order dated 24.02.2015.

3. In these circumstances, the writ petition is disposed of, directing the first respondent to count half of the service of the petitioner as Casual Labourer from 01.08.1989 to 15.05.2006 along with his regular service as Attender from 16.05.2006 till the date of his superannuation for the purpose of pension, if he is otherwise not disqualified to receive pension. No costs.

Sd/-

Assistant Registrar(CS V)

//True Copy//

Sub Assistant Registrar

svki

To

- 1.The Secretary to Government,
Animal Husbandry, Dairying and Fisheries Department,
Chennai - 600 009.
- 2.The Registrar,
Tamil Nadu Veterinary and Animal Sciences University,
Madhavaram Milk Colony,
Chennai - 600 051.
- 3.The Dean,
Madras Veterinary College,
Chennai - 600 007.

+lcc to Mr.M.Ravi, Advocate, S.R.No.22793
+lcc to Mr.V.Gangatharan, Advocate, S.R.No.22371
+lcc to the Government Pleader, S.R.No.22501

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VD(CO)
CA(13/05/2015)



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