

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 29.01.2015

CORAM:

THE HONOURABLE MR. JUSTICE K.K. SASIDHARAN

Writ Petition No.15323 of 2014

&

M.P.Nos.1 & 2 of 2014

1.S.Muniraj
2.S.Motappa

...Petitioners

vs.

1. The State of Tamil Nadu
Rep. By the Secretary
Handloom, Handicrafts, Textiles & Khadi Department
Fort St. George, Chennai - 600 009
- 2.The Director
Department of Sericulture
Annaimeedu, Salem - 636 001
- 3.The Assistant Director
Department of Sericulture
Thuppukanapally
Uddanapally Post, Hosur Taluk
Krishnagiri District - 635 119
- 4.The Assistant Director
Department of Sericulture
Bikkanapally Post
Kollatty, Denkanikotta Taluk
Krishnagiri District - 635 107

.. Respondents

Writ Petition filed under Article 226 of the Constitution of India, for the issuance of a writ of mandamus directing the respondents to allow the petitioners to continue in service as Sericulture worker till the completion of 60 years as per FR 56(i).

For Petitioners : Mrs.Lesi Saravanan

For Respondents : Mr.M.S.Ramesh
Additional Govt. Pleader

O R D E R

The petitioners are working as Sericulture workers pursuant to the appointment made by the Department of Sericulture. The petitioners are last grade servants. According to the petitioners, their retirement age is 60 years as per Tamil Nadu Basic Service Rules. The petitioners, therefore, seeks a writ of mandamus directing the respondent to allow them to continue in service till 60 years as per 56(i) of the Fundamental Rules.

2. The issue raised by the petitioner is no more res integra, in view of the earlier decision of this Court. The petitioner has produced several orders of this Court in respect of Sericulture workers. This Court, vide its order dated 24 January, 2013 in W.P.Nos.14977, 15614 to 15616 of 2011 and 1231 of 2013, made it very clear that the Sericulture workers would retire only after reaching the age of 60 years.

3. Similar writ petition came up before me in W.P (MD) No.13264 of 2014. I have followed the earlier orders indicated above and allowed the said writ petition by order dated 21.08.2014.

4.The petitioners are similarly situated. The petitioners are, therefore, entitled to the benefits of the earlier decisions declaring that such basic servants would retire only at the age of 60.

5. In the result, by following the earlier orders of this Court and more particularly, orders in W.P.Nos. 14977, 15614 to 15616 of 2011 and 1231 of 2013 dated 24 January, 2013 and subsequent order dated 21.08.2014 in W.P (MD) No.13264 of 2014, the writ petition is allowed. The respondents are directed to permit the petitioners to continue in service as Sericulture Workers till they complete the age of 60 years. No costs. Consequently, the connected miscellaneous petitions are closed.

Sd/- सतयमेव जयते
Assistant Registrar
Dated:20.2.15

True Copy

Sub Assistant Registrar

To

1. The Secretary
Handloom, Handicrafts, Textiles & Khadi Department
Fort St. George, Chennai - 600 009

2.The Director
Department of Sericulture
Annaimeadu, Salem - 636 001

3.The Assistant Director
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4.The Assistant Director
Department of Sericulture
Bikkanapally Post
Kollatty, Denkanikotta Taluk
Krishnagiri District - 635 107

+1 cc to Mrs.Losi Saravanan, Advocate,SR.4615

+1 cc to Government Pleader,SR.4752.

rsy(co)
krd 4/3

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M.P.Nos.1 & 2 of 2014



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