

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.03.2015

CORAM:

THE HONOURABLE MR. JUSTICE K.K.SASIDHARAN

Writ Petition No.7731 of 2015 and
M.P.No.1 of 2015

1.G.Kalabai
2.M.Saroja

...Petitioners

Vs.

- 1.The State of Tamil Nadu,
Rep. by the Secretary,
Handloom, Handicrafts, Textiles and Khadi Department,
Fort St.George, Chennai - 600 009.
- 2.The Director,
Department of Sericulture,
Annaimedu, Salem - 636 001.
- 3.The Assistant Director,
Department of Sericulture,
Vaniyambadi, Vellore District - 635 758.

...Respondents

Petition filed under Article 226 of the Constitution of India for the issuance of 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 : Ms.Lesi Saravanan

For Respondents : Mr.M.S.Ramesh
Addl. Government Pleader

O R D E R

The petitioners were appointed as Sericulture Workers by the Government. According to the petitioners, Sericulture Workers are basic workers and as such, they would retire only on attaining the age of 60 years. The first petitioner is attaining the age of 58 on 31.03.2015 and the second petitioner is attaining the age of 58 on 30.06.2015. The petitioners wanted to work up to 60 years like other basic workers.

2. The issue raised herein is no longer res integra in view of the earlier decisions of this Court and more particularly, the order dated 24.01.2013 made in W.P.No.14977 of 2011. This Court made it clear that Sericulture workers would retire only at the age of 60 years. In view of the concluded issue, the petitioners are entitled to succeed.

3. In the result, a writ in the nature of a writ of mandamus is issued, directing the respondents to permit the petitioners to continue in service as Sericulture workers till completion of 60 years as per FR 56(i).

4. The writ petition is allowed accordingly. No costs. Connected miscellaneous petition is closed.

svki

-s/d-
Assistant Registrar(CS-II)
Dt:27/3/2015

True Copy

Sub-Assistant Registrar

To

- 1.The Secretary to Govt.,
State of Tamil Nadu,
Handloom, Handicrafts, Textiles and Khadi Department,
Fort St.George, Chennai - 600 009.
- 2.The Director,
Department of Sericulture,
Annaaimedu, Salem - 636 001.
- 3.The Assistant Director,
Department of Sericulture,
Vaniyambadi, Vellore District - 635 758.

+ 1 cc to Mrs.Lesi Saravanan, Advocate SR 16747

+ 1 cc to the Govt. Pleader High court, Madras SR 17013

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W.P.No.7731 of 2015