

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09.06.2016

CORAM:

THE HON'BLE MR.JUSTICE B.RAJENDRAN

W.P.No.7720 of 2015

M.Shanmugasundaram

... Petitioner

Vs.

1. The State of Tamilnadu,
Rep. by Secretary,
Department of Personnel and Training,
Government of Tamilnadu,
Fort St. George,
Chennai.

2. The Superintendent,
Office of District Treasury,
Coimbatore.

... Respondents

Writ petition filed under Article 226 of the Constitution of India, praying for the issuance of a writ of mandamus, to direct the respondents 1 and 2 to consider the petitioner's representation dated 27.02.2015, seeking counting of his service from 2003 onwards for the purpose of pensionary benefits and also to count his service from 2006 onwards for the purpose of monetary benefits.

For petitioner : Mr.SP.Srinivasan
For respondents: Mr.Chinnadurai,
Government Advocate.

ORDER

This writ petition has been filed by the petitioner seeking a direction to respondents 1 and 2 to consider his representation dated 27.02.2015.

2. The petitioner was appointed as Junior Assistant in the year 2003, under the second respondent, on consolidated pay of Rs.4,000/- and he was sent for training in the year 2004. Thereafter, the petitioner passed the special competitive examination conducted by the first respondent through the Tamilnadu Public Service Commission in the year 2007 for the post of Junior Assistant and he was appointed as Junior Assistant under the second respondent, by an order dated

25.01.2010 and after completion of probationary period, he was made permanent on 24.07.2012. In the meanwhile, he made a representation dated 27.02.2015 to the first respondent requesting to fix his date of joining as 2003 and count his service from 2006 for the purpose of getting monetary benefits, as he is due to retire from service on 31.05.2015 on attaining superannuation. Since there was no response, this writ petition has been filed.

3. The learned counsel appearing for the petitioner submitted that the petitioner retired from service on 31.05.2015, hence, the petitioner would be satisfied, if the respondents are directed to consider the representation dated 27.02.2015 and pass orders on merits and in accordance with law.

4. The learned Government Advocate appearing for the respondents submitted that he has got no serious objection for directing the respondents to consider the representation of the petitioner and pass appropriate orders on merits and in accordance with law.

5. Considering the submissions made on either side, this Court directs the respondents, to consider the representation of the petitioner, dated 27.02.2015, and pass appropriate orders, on merits and in accordance with law, within a period of two months from the date of receipt of a copy of this order.

6. With the above direction, this writ petition is disposed of. No costs.
ogy

s/d-

Assistant Registrar (CS-III)

True Copy

Sub-Assistant Registrar

To

1. The Secretary,
Department of Personnel and Training,
Government of Tamilnadu,
Fort St. George, Chennai.

2. The Superintendent,
Office of District Treasury,
Coimbatore.

+ 2 cc to Mr.S.P.Srinivasan, Advocate SR 30989

gj(ii)
prk19/7

W.P.No.7720 of 2015