

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.11.2016

CORAM

THE HONOURABLE MR. JUSTICE R.SUBBIAH

Writ Petition Nos.38600 to 38602 of 2016

C.H.Jambaiah ... Petitioner in
W.P.No.38600 of 2016

J.Venugopal ... Petitioner in
W.P.No.38601 of 2016

G.Lalitha ... Petitioner in
W.P.No.38602 of 2016

Vs

1 The Government of Tamil Nadu
Rep. by Secretary to Government Animal
Husbandry Dairying and Fisheries Department
Secretariat Chennai-9.

2 The Registrar
Tamil Nadu Veterinary and Animal Sciences
University Madhavaram Milk Colony Chennai-
51.

.... Respondent in all
the W.Ps.

Prayer in W.P.No.38600 of 2016: Writ petition has been filed under Article 226 of the Constitution of India, praying for a Writ of mandamus directing the first respondent to pass orders for counting half of the services of the petitioner as Casual Labourer from 2.2.1995 to 11.5.2006 of the petitioner on Daily Wage basis along with his regular service as Attendant from 12.5.2006 till the date of his superannuation for reckoning the total qualifying service for pension and to sanction pensionary benefit to him on that basis within limited time frame

Prayer in W.P.No.38601 of 2016: Writ petition has been filed under Article 226 of the Constitution of India, praying for a Writ of mandamus directing the first respondent to pass orders for counting half of the services of the petitioner as Casual Labourer from 2.3.1995 to 18.5.2007 of the petitioner on Daily Wage basis along with his regular service as Attendant from 19.5.2007 till the date of his superannuation for reckoning the total qualifying service for pension and to sanction pensionary benefit to him on that basis within limited time frame

Prayer in W.P.No.38602 of 2016: Writ petition has been filed under Article 226 of the Constitution of India, praying for a Writ of mandamus directing the first respondent to pass orders for counting half of the services of the petitioner as Casual Labourer from 10.6.1991 to 15.5.2006 of the petitioner on Daily Wage basis along with his regular service as Attendant from 16.5.2006 till the date of petitioner superannuation for reckoning the total qualifying service for pension and to sanction pensionary benefit to him on that basis within limited time frame.

For Petitioner : Mr.M.Ravi,
in all the writ petitions.

For Respondents : Mr.S.N.Parthasarathi,
for R1
Mr.N.Gangatharan,
for R2
in all the writ petitions.

COMMON ORDER

By consent, the main writ petitions themselves are taken up for final disposal.

2. The petitioners have come up with the present writ petitions for a mandamus, directing the first respondent to pass orders for counting half of the services rendered by them as Casual Labourers from 2.2.1995 to 11.5.2006, 2.3.1995 to 18.5.2007 and 10.6.1991 to 15.5.2006 respectively on Daily Wage basis along with their regular service as Attendant / Basic Servant from 12.5.2006, 19.5.2007 and 16.5.2006 respectively till the date of their superannuation for reckoning the total qualifying service for pension and to sanction pensionary benefit to them on that basis within limited time frame.

3. Today, when the matters were taken up for consideration, learned counsel appearing for the petitioners submitted that in similar situation, this Court, by order dated 19.12.2014 in W.P.No.33732 of 2014 (R.Yuvaraj v. Government of Tamil Nadu, rep. by Secretary to Government), directed the respondents therein to count half of the service rendered by the petitioners therein as Casual labourers along with regular service for the purpose of pension and the same was also implemented by the Tamil Nadu Veterinary and Animal Science University, by order dated 24.2.2015. Hence, following the same, similar order could be passed in these writ petitions also.

4. I have also heard the learned counsels, who has taken notice on behalf of the respondents 1 and 2.

5. Considering the facts and circumstances of the case and considering the submissions made on either side, without going into the merits of the claim projected by the petitioners, this Court directs the petitioners to send a fresh / individual representation along with a copy of this order to the first respondent within a period of two weeks from the date of receipt of a copy of this order and on receipt of the same, the first respondent is directed to consider the said representations and pass appropriate orders, on merits and in accordance with law, and also in the light of the order of this Court dated 19.12.2014 made in W.P.No.33732 of 2014 (R.Yuvaraj v. Government of Tamil Nadu, rep. by Secretary to Government), within a period of four weeks thereafter. All the writ petitions are disposed of accordingly. No costs.

Sd/-

सत्यमेव जयते
Assistant Registrar

//True Copy//

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Sub Assistant Registrar

To

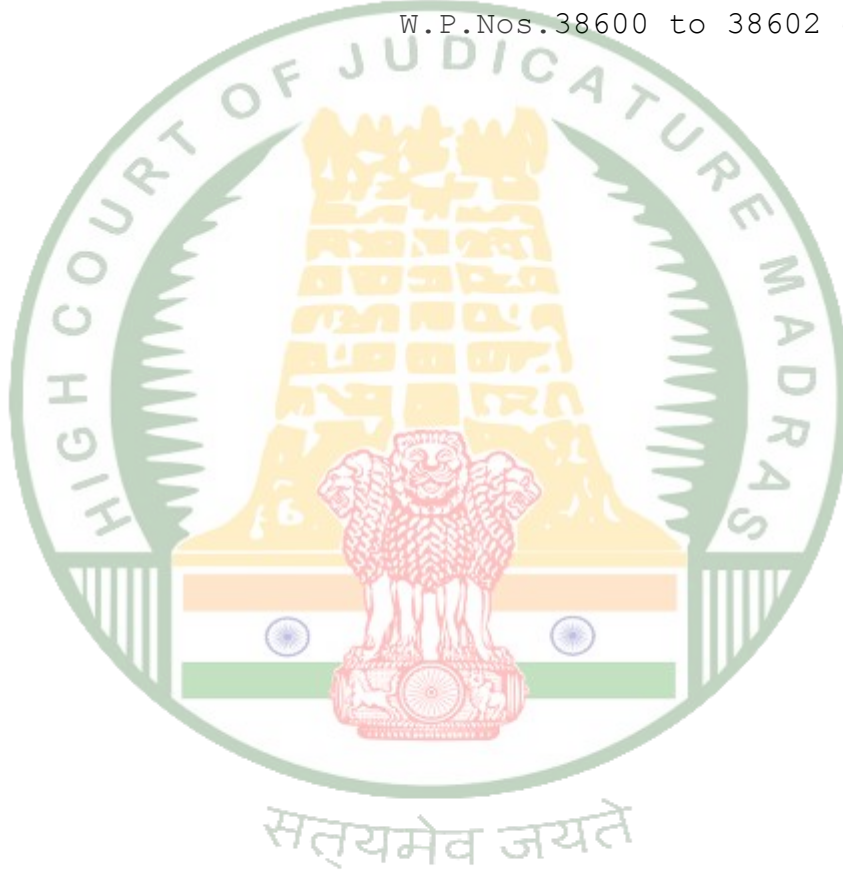
- 1 The Secretary to Government Animal Husbandry Dairying and Fisheries Department Secretariat Chennai-9.

2 The Registrar
Tamil Nadu Veterinary and Animal Sciences
University Madhavaram Milk Colony Chennai-
51.

+3cc to Mr.V. Gangatharan, Advocate, S.R.No.63640,63641,63642
+3cc to Mr. M. Ravi, Advocate, S.R.No.63605

pvs (CO)
md (10/11/2016)

W.P.Nos.38600 to 38602 of 2016



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