

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.12.2016

CORAM:

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

W.P.No.43023 of 2016
& WMP.No.36875 of 2016

- 1.Sri S.Shanmugam
- 2.Sri Ganapathy Raman
- 3.Sri K.Dhamodharan
- 4.Sri T.Anaiyan
- 5.Sri.P.V.Moorthy
- 6.Smt.D.Rukmani
- 7.Sri V.Maruthan
- 8.Sri S.Balakrishnan
- 9.Sri V.Surya Prakasam
- 10.Sri V.Ramu
- 11.Sri Sundara Raja Murthy
- 12.Sri K.Murugan
- 13.Sri M.Subrahmaniyan Durai
- 14.Sri G.Kuppusamy
- 15.Sri S.Raghavan

... Petitioners

Vs

1. The Secretary
Khadi Gramodyog Sangh
No.844, Anna Salai,
Chennai 600 002.
2. The Chairman and Trustee
Khadi Gramodyog Sangh
Employees Superannuation Fund
NO.844, Anna Salai
Chennai 600 002.
3. The Director
Khadi and Village Industries Commission,
No.326, Avvai Shanmugam Salai
Gopalapuram,
Chennai 600 086.
4. The Registrar of Societies
District Registrar [Central]
No.20, Seethamal Colony
Chennai 600 018.

... Respondents

Prayer:- Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of mandamus directing the 1st respondent to disburse the pension as eligible to the petitioners from their date of superannuation as per the KGS Employees Superannuation Funds dated 29.04.1982.

For Petitioners : Mr.M.V.Venkataseshan

For Respondents : Mr.S.K.Bose

ORDER

By consent, the writ petition is taken up for final disposal. Mr.S.K.Bose, learned counsel accepts notice on behalf of the respondents.

2. The petitioners were serving as Assistants in various sections of the 1st respondent / Board and all of them had retired and prior to that, they had put in more than 34 to 37 years of hard, sincere and blemishless service. The grievance expressed by the petitioners is that despite their retirement, pensionary benefits have not been extended, though adequate funds are available with the 2nd respondent.

3. The learned counsel for the petitioners had drawn the attention of this Court to the common judgment dated 15.04.2014 made in MP.Nos.1 to 1/2013 in WA.Nos.880 to 892/2013 and MP.Nos.2 to 2/2013 in WA.Nos.578 to 588/2013 [S.Arunachalam and others Vs. Khadi Gramodhyog Sangh rep.by its Secretary and others] and would submit that this Court, vide above cited interim order, directed the respondents 1 to 3 therein, who are also arrayed as the respondents 1 and 2, to pay 50% of the pension due and payable to the appellants therein. Therefore, in the light of the same, appropriate orders may be passed.

4. Heard the submissions of Mr.S.K.Bose, learned counsel appearing for the respondents.

5. Though the petitioners have prayed for a larger relief, this Court, in the light of the above facts and circumstances and without going into the merits of the same, directs the 1st respondent to consider and dispose of the petitioners' representation dated 10.10.2016 on merits and in accordance with law, after taking note of the interim order dated 15.04.2014 made in MP.Nos.1 to 1/2013 in WA.Nos.880 to 892/2013 and MP.Nos.2 to 2/2013 in WA.Nos.578 to 588/2013 and pass orders within a period of eight weeks from the date of receipt of a copy of this order and communicate the decision taken, to the petitioners.

6. The writ petition stands disposed of with the above direction. No costs. Consequently, the connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

AP

To

1. The Secretary
Khadi Gramodyog Sangh
No.844, Anna Salai,
Chennai 600 002.
2. The Chairman and Trustee
Khadi Gramodyog Sangh
Employees Superannuation Fund
NO.844, Anna Salai
Chennai 600 002.
3. The Director
Khadi and Village Industries Commission,
No.326, Avvai Shanmugam Salai
Gopalapuram, Chennai 600 086.
4. The Registrar of Societies
District Registrar [Central]
No.20, Seethamal Colony
Chennai 600 018.

+2cc's to Mr.M.V.Venkataseshan, Advocate, S.R.No.72492

W.P.No.43023 of 2016

SS(CO)
CA(15/12/2016)

WEB COPY