



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 29.07.2016

CORAM

THE HONOURABLE **MR.JUSTICE T.RAJA**

W.P(MD) .No.13559 of 2016

K.Kandavel

..Petitioner

Vs.

The Superintending Engineer,
Tamil Nadu Generation &
Distribution Corporation,
Ramanathapuram Electricity Circle,
Ramanathapuram

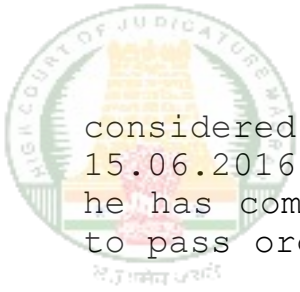
..Respondent

Writ Petition filed under Article 226 of the Constitution of India for the issuance of a Writ of Mandamus directing the respondent/the Superintending Engineer, Tamil Nadu Generation and Distribution Corporation, Ramanathapuram Electricity Distribution Circle, to pass appropriate orders on the petitioner's representation dated 15.06.2016 regarding counting of his continuous service from 09.10.1987 to 18.01.2002 in the Tamil Nadu Magnesium and Marine Chemicals Limited for the purpose of calculation of pension along with his continuous service rendered in the Tamil Nadu Generation and Distribution Corporation from 19.01.2002 to 31.05.2016 within a specified time frame that may be fixed by this Court.

For petitioner : Mr.S.Visvalingam
For Respondent : Mr.S.Dayalan

ORDER

Mr.K.Kandavel was serving as a Selection Grade Assistant in the regular post from 09.10.1987 to 18.01.2002 in the Tamil Nadu Magnesium and Marine Chemicals Limited (TMML), Ramanathapuram, which is a Government of Tamil Nadu undertaking. Since it was shut down on 31.01.1993 due to various problems, the petitioner was absorbed in the Tamil Nadu Electricity Board, as per Memo No.144356/1975/G56/G561/ 97-19, dated 31.12.2001 and posted as Assessor, accordingly, he joined duty on 19.01.2002, as per Memo No.15/ADM/1/A(4)/2002-1, dated 04.01.2002. After 14 years of service, he was allowed to retire from service with effect from 31.05.2016, however, for the purpose of pension, the period from 09.10.1987 to 18.01.2002 prior to his absorption, was not



considered, therefore, he has given a representation, dated 15.06.2016, but the same has not been considered on merits, hence, he has come to this court, seeking a direction to the respondent, to pass orders on his representation, within a time frame.

WEB COPY 2. Heard both sides.

3. Mr. S. Dhayalan, learned Standing counsel, who takes notice for the respondent submitted that after taking instructions, he would file a detailed counter affidavit before this Court.

4. But, this Court is not inclined to grant any more time. Since the petitioner's representation, dated 15.06.2016, is pending for consideration before the respondent, it is for them to pass appropriate order.

5. Considering the narrow prayer sought for, this Court directs the respondent to consider the representation of the petitioner dated 15.06.2016, seeking to count the period from 09.10.1987 to 18.01.2002 for the purpose of pension, and pass appropriate orders on merits and in accordance with law, within a period of four weeks from the date of receipt of a copy of this order.

6. With the above direction, the writ petition stands disposed of. No costs.

Sd/-

Assistant Registrar (CS-II)

/TRUE COPY/

Sub Assistant Registrar

To

The Superintending Engineer,
Tamil Nadu Generation &
Distribution Corporation,
Ramanathapuram Electricity Circle,
Ramanathapuram.

+1cc to M/S.S.VISVALINGAM, ADVOCATE, SR NO:40531

PJL

JA-KBM-24.08.2016/2P: 2C

W.P (MD) .No.13559 of 2016