

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.11.2017

CORAM

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P. NO.9831 of 2014

S.Natarajan

...Petitioner

Vs.

The Managing Director,
Tamilnadu Water Supply and
Drainage Board,
No.31, Kamarajar Salai,
Chepauk, Chennai - 600 005.

...Respondent

Prayer: The writ petition filed under Article 226 of the Constitution of India, to issue a writ of Mandamus, directing the respondent to include the petitioner's services rendered under Non Provincialised Work Charged Establishment for the period from 19.11.1970 to 20.10.1972 in the calculation of pension and other terminal benefits and to revise the pension and other terminal benefits duly permitting to draw arrears of pension and all other terminal benefits from 01.02.2003 onwards with interest at the rate of 12% per annum within the time frame as may be fixed by this Hon'ble Court on the basis of the petitioner's representation dated 08.01.2014.

For Petitioner : Mr.L.Chandrakumar
for M/s.Law Square

For Respondent : Ms.S.Thamizharasi

O R D E R

The relief sought for in this writ petition is for a direction to the respondent to include the petitioner's service rendered under Non Provincialised Work charged Establishment for the period from 19.11.1970 to 20.10.1972 for calculation of the qualifying services for the purpose of pension.

2. Mr.L.Chandrakumar, learned counsel appearing for the writ petitioner states that the writ petitioner was initially appointed as Work Assistant under Work Charged Establishment in Public Health Engineering Department and he joined duty on 19.11.1970. Subsequently, the writ petitioner was regularly

appointed as Draughtsman Grade III (now redesignated as Junior Draughting Officer) on 21.10.1972. The grievance of the writ petitioner is that the period from 19.11.1970 to 20.10.1972 has not been taken into account as qualifying service for the purpose of calculating pension.

3. The learned counsel for the petitioner further submitted that this Court also considered a similar matter and issued order in favour of the petitioner to calculate the service rendered in the Work Charged Establishment. Further the said orders had been implemented by the respondent. In this regard, the writ petitioner submitted a representation to the respondent on 08.01.2014 and the same is yet to be considered.

4. Thus, without going into the merits of the matter, the respondent is directed to consider the representation submitted by the writ petitioner on 08.01.2014 and pass appropriate orders on merits and in accordance with law within a period of twelve weeks from the date of receipt of a copy of this order. The writ petitioner is directed to enclose a copy of the representation and a copy of the earlier order and G.O. along with the order passed in this writ petition.

5. With the above direction, the Writ Petition stands disposed of. No costs.

av/dpq

Sd/-
Assistant Registrar(CS IX)

//True Copy//

Sub Assistant Registrar

To

The Managing Director,
Tamilnadu Water Supply and
Drainage Board,
No.31, Kamarajar Salai,
Chepauk, Chennai - 600 005.

+1cc to Mrs.S.Tamizharasi, Advocate SR.No.80004

WRIT PETITION NO.9831 of 2014

GJII(CO)
SM:30.11.2017