

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09.02.2017

CORAM:

THE HONOURABLE MR. JUSTICE M.SATHYANARAYANAN

W.P.No.3175/2017 & WMP.No.3112/2017

D.Raju

..

Petitioner

Vs

1.Khadi Gramodyog Sangh,
rep. by its Secretary,
No.844, Anna Salai
Chennai 600 002.

2.Khadi Gramodyog Sangh Employees
Superannuation Fund, rep.by its Chairman & Trustee,
No.844,Anna Salai, Chennai 600002.

3.Khadi and Village Industries Commission,
rep.by its Director,
No.326, Avvai Shanmugam Salai
Gopalapuram, Chennai - 86.

4.The Registrar of Societies
District Registrar [Central]
No.20, Seethammal 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 pension as eligible to the petitioner from the date of superannuation as per the KGS Employee Superannuation Funds dated 29.04.1982.

For Petitioner : Mr.M.V.Venkateshan

For Respondents: Mr.P.Senthilvel, GA for R1

Mr.S.K.Bose for RR2&3

Mr.L.P.Shanmugasundaram

Spl.GP [Coop.] for R4

ORDER

By consent, the writ petition is taken up for final disposal. Mr. Mr.P.Senthilvel, learned Government Advocate accepts notice on behalf of the 1st respondent ; Mr.S.K.Bose, learned Standing Counsel accepts notice on behalf of the respondents 2 and 3 and Mr.L.P.Shanmugasundaram, learned Special Government Pleader [Coop] accepts notice on behalf of the 4th respondent.

2 The petitioner served as an Assistant in various sections of the 1st respondent Organization and put in about 37 years of service and the grievance expressed by the petitioner is that he is yet to be conferred with pensionary benefits.

3 The learned counsel for the petitioner would Tvl.S.Shanmugam and 14 others, who are similarly placed like that of the petitioner, had approached this Court by filing WP.No.43023/2016, praying for issuance of a writ of mandamus directing the 1st respondent herein to disburse pension as eligible and payable to the petitioners therein from the date of their superannuation as per KGS Employees Superannuation Funds dated 29.04.1982 and this Court, vide order dated 09.12.2016 had disposed of the said writ petition, by directing the concerned respondent to consider and dispose of the petitioners' representations in accordance with law after taking note of the earlier orders and therefore, prays for similar relief.

4 The Court heard the submissions of Mr.P.Senthilvel, learned Government Advocate appearing for the 1st respondent ; Mr.S.K.Bose, learned Standing Counsel appearing for the respondents 2 and 3 and Mr.L.P.Shanmugasundaram, learned Special Government Pleader [Coop] appearing for the 4th respondent.

5 Though the petitioner has prayed for a larger relief, this Court, in the light of the above facts and circumstances and without going into the merits of the claim projected by the petitioner, directs the 1st respondent to consider and dispose of the petitioner's 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 892/2015 and MP.Nos.2 to 2/2013 in WA.No.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 petitioner.

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

Sd/-
Asst.Registrar (CS III)

/true copy/

Sub Asst. Registrar

To

1.The Secretary,
Khadi Gramodyog Sangh
No.844, Anna Salai,
Chennai 600 002.

2.The Chairman
Khadi Gramodyog Sangh Employees
Superannuation Fund, No.844,
Anna Salai, Chennai 600002.

3.The Director
Khadi and Village Industries Commission
No.326, Avvai Shanmugam Salai
Gopalapuram, Chennai - 86.

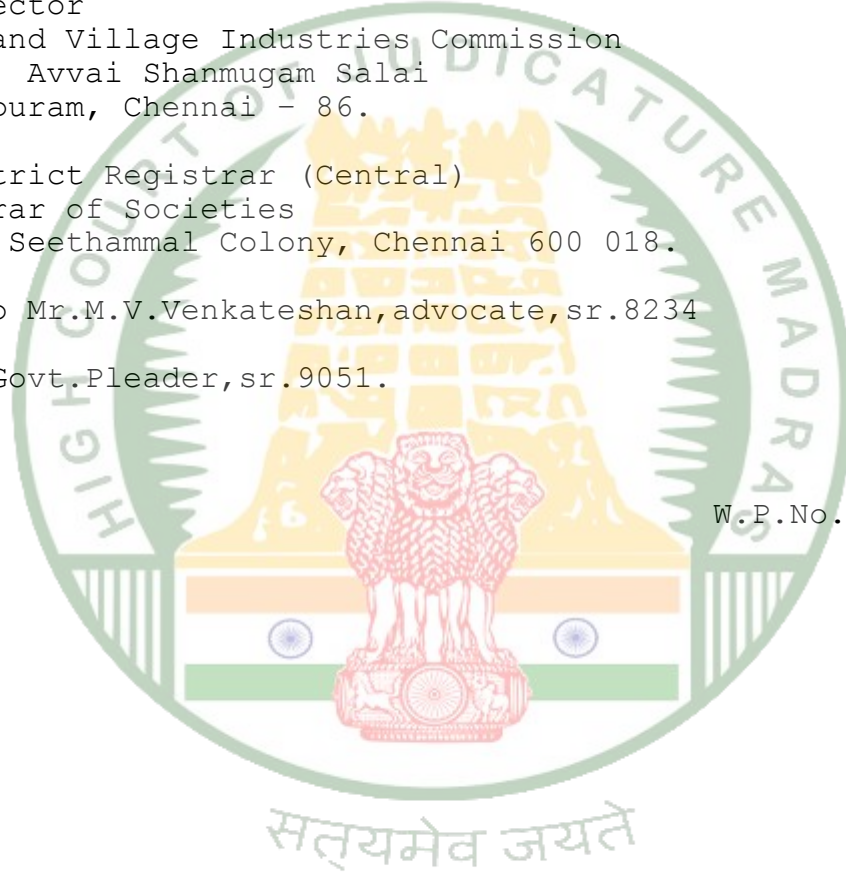
4.The District Registrar (Central)
Registrar of Societies
No.20, Seethammal Colony, Chennai 600 018.

+2 cc's to Mr.M.V.Venkateshan,advocate,sr.8234

+1 cc to Govt.Pleader,sr.9051.

gj(co)
krd 16/2

W.P.No.3175/2017



WEB COPY