

IN THE HIGH COURT OF JUDICATURE AT MADRAS

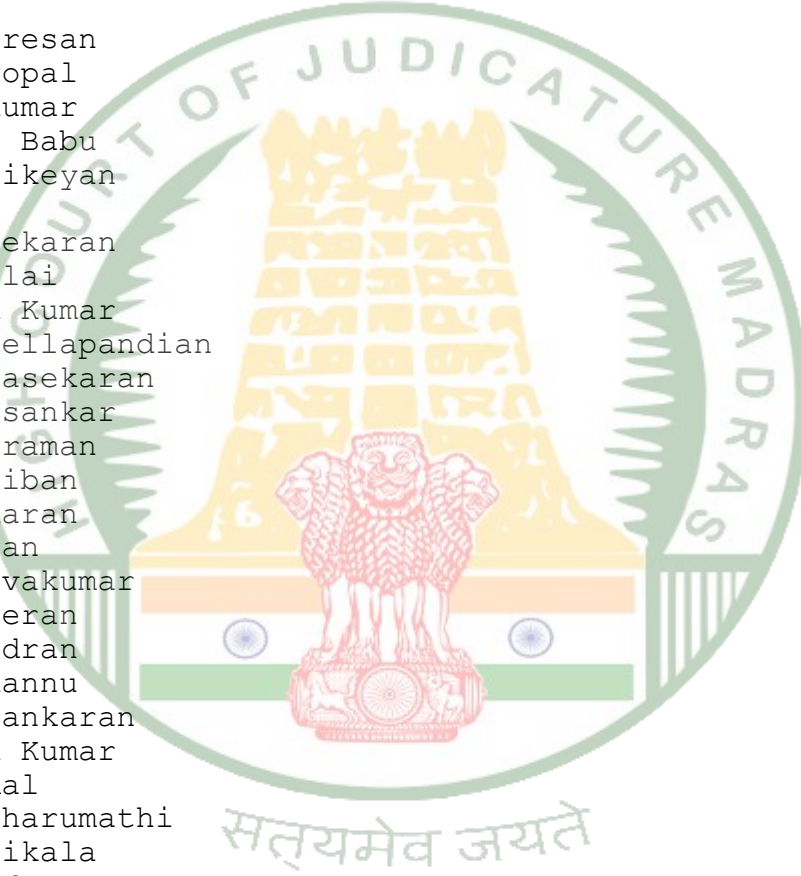
Dated : 05.10.2017

Coram

The Hon'ble Mr.Justice S.M.SUBRAMANIAM

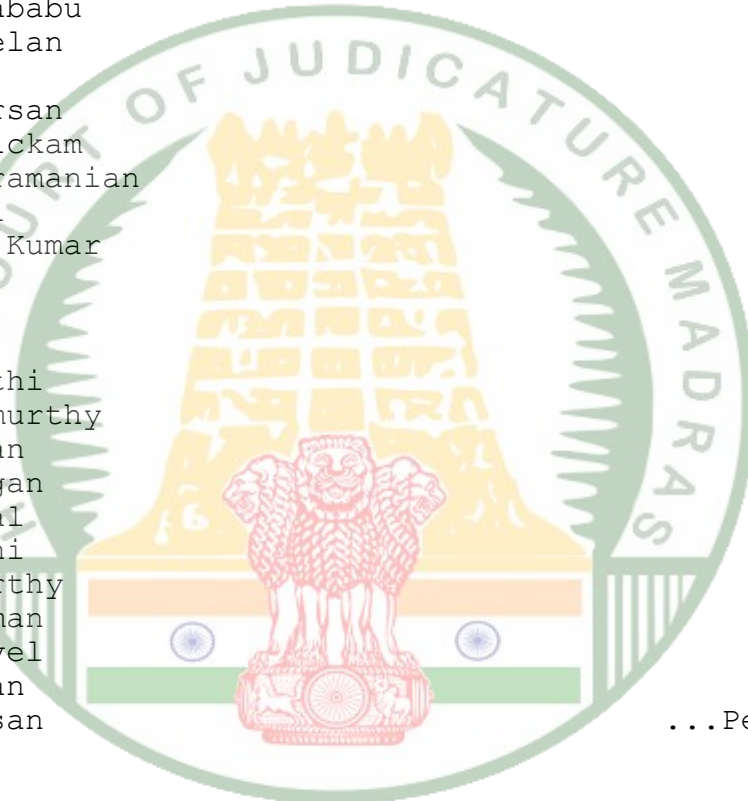
Writ Petition No.35161 of 2014
and
M.P.Nos.1 and 2 of 2014

- 1 V.Kathiresan
- 2 R.Rajagopal
- 3 D.Ravikumar
- 4 E.Delhi Babu
- 5 N.Karthikeyan
- 6 R.Babu
- 7 N.Rajasekaran
- 8 B.Elumalai
- 9 D.Ashok Kumar
- 10 M.M. Chellapandian
- 11 V.S.Rajasekaran
- 12 N.Gowrisankar
- 13 S.Teekaraman
- 14 B.Parthiban
- 15 K.Manokaran
- 16 S.Murugan
- 17 K.D. Sivakumar
- 18 D.Nakkeeran
- 19 M.Gajendran
- 20 K.Rajakannu
- 21 M.Sivasankaran
- 22 M.Ashok Kumar
- 23 S.Perumal
- 24 Tmt.B.Charumathi
- 25 C.V.Sasikala
- 26 A.Gengadaran
- 27 L.Pandurangan
- 28 R. Sivakumar
- 29 M.Ravi
- 30 S.Ramesh Babu
- 31 R.Anbuselvan
- 32 K.Gandhi
- 33 V.Panchatcharam
- 34 N.Venkatesan
- 35 V.Boopalan
- 36 S.Anandhan
- 37 D.Rajasundar Salamon
- 38 S.Vinayagam



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39 S.Ravichandran
40 G.Suganthi
41 S.Latha
42 M.P.Lakshmi
43 R.Kalaiarasan
44 G.Vinayagam
45 A.Subramani
46 N.Dhanasekar
47 K.Pandiyan
48 S.Venkatesan
49 A.Nithyanandam
50 K.Ravichandran
51 P.Mahendrababu
52 G.Nithyavelan
53 G.Rajan
54 S.R.Sudharsan
55 S.Rajamanickam
56 M.Balasubramanian
57 K.Dhanapal
58 P.Senthil Kumar
59 A.Jesuraj
60 O.Kumaran
61 R.Kumar
62 K.Thirupathi
63 T.Krishnamurthy
64 T.Anbalagan
65 R.Arivalagan
66 V.Venugopal
67 G.Kalaimani
68 L.Ramamoorthy
69 B.Sethuraman
70 S.Pazhanivel
71 A.Nagarajan
72 K.Srinivasan



...Petitioners

Vs

- 1 The State of Tamilnadu
Rep by the Secretary to Govt. Personnel and
Administrative Reforms Department
Secretariat Chennai 9
- 2 The Secretary to Govt.
Finance Department Secretariat Chennai 9
- 3 The Principal Commissioner and
Commissioner for Revenue Administration
Ezhilagam Chepauk Chennai 5

- 4 The Director of School
Education College Road Chennai 6
- 5 The Commissioner of
Commercial Taxes Chepauk Chennai 5
- 6 The Commissioner/Director
of Treasuries and Accounts Saidapet
Chennai 15

...Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India prays to directing the respondents to count the service of the petitioners atleast with effect from the date of Honourable Supreme Court order reported in AIR 1999 SC 3825 Govt. of Tamilnadu Vs G. Mohammed Ammenudeen dt 28.9.1999 or the order of Govt. of Tamilnadu in G.O.Ms.No.30 P & AR Dept. dt 16.2.2000 and G.O.Ms.No.209 P & AR Dept. dt 23.11.2001 atleast for the purpose of pensionary benefits under the old pension scheme in pursuance of the Tamilnadu Pension Rules and consequently pass all the retirement benefits on the retirement of the petitioners.

For Petitioners : Mr.R.Singaravelan (SC)
for Ms.M.Srividhya

For Respondents : Mr.R.Vijayakumar, AGP

O R D E R

The relief sought for in this writ petition is for a direction to direct the respondents to count the service of the petitioners atleast with effect from the date of Honourable Supreme Court order reported in AIR 1999 SC 3825 Govt. of Tamilnadu Vs G. Mohammed Ammenudeen dt 28.9.1999 or the order of Govt. of Tamilnadu in G.O.Ms.No.30 P & AR Dept. dt 16.2.2000 and G.O.Ms.No.209 P & AR Dept. dt 23.11.2001 atleast for the purpose of pensionary benefits under the old pension scheme in pursuance of the Tamilnadu Pension Rules and consequently pass all the retirement benefits on the retirement of the petitioners.

2. The learned Senior counsel appearing on behalf of the writ petitioners contended that though the relief was granted to the writ petitioners for permanent absorption only in the year 2004, due to the delay on the part of the authorities in implementing the order of the Hon'ble Apex Court, dated 28.09.1999, the service benefits are denied. Because of the

delay, the petitioners should not be deprived for old pension under the Tamilnadu Pension Rules. In this regard they have submitted representations citing all these factual circumstances to the respondents and no final decision is taken by the respondents in this regard.

3. Thus without going into the merits and demerits of the matter, the first respondent is directed to consider the representations submitted by the writ petitioners on 14.08.2014 and 29.12.2014, by taking note of the Judgment and the Government orders and pass final orders on merits and in accordance with law within a period of 12 weeks from the date of receipt of a copy of this order. Writ petitioners are directed to enclose a copy of the representations along with all other relevant documents and copy of the order passed in this writ petition. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-
Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

rna

To

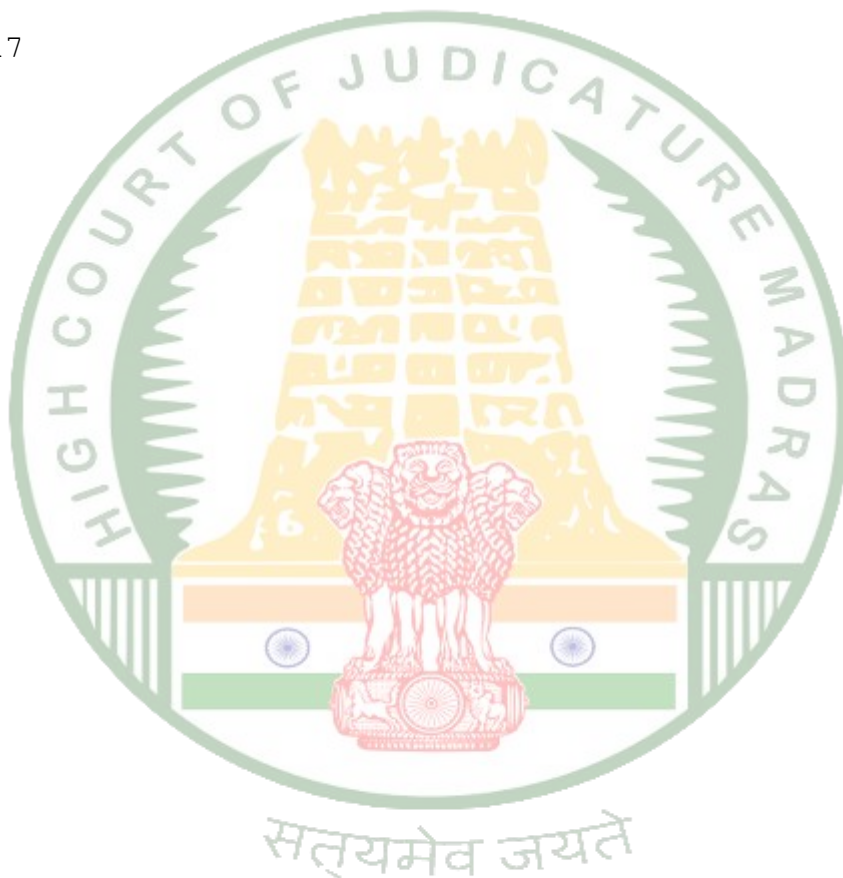
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3. The Principal Commissioner and
Commissioner for Revenue Administration
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4. The Director of School
Education College Road Chennai 6
5. The Commissioner of
Commercial Taxes Chepauk Chennai 5

6. The Commissioner/Director
of Treasuries and Accounts Saidapet
Chennai 15

+1cc to Ms.M.Srividhya, Advocate, S.R.No.71546
+1cc to the Government Pleader, S.R.No.73416

W.P.No.35161 of 2014 &
M.P.Nos.1 and 2 of 2014

CS/01/11/17



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