

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06.02.2017

CORAM

THE HONOURABLE MR. JUSTICE M.SATHYANARAYANAN

Writ Petition No.2838 of 2017

L.Sundaram

... Petitioner

-Vs-

1. The Commissioner,
Greater Chennai Corporation,
Rippon Building, Chennai - 600 003.

2. The Zonal Officer,
New Zone-VI,
Greater Corporation of Chennai,
Basin bridge Salai,
Chennai - 600 079.

3. The Secretary to Government,
Municipal Administration
and Water Supply Department,
Government of Tamil Nadu,
Fort St.George,
Chennai - 600 009.

... Respondents

Writ Petition has been filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus to direct the 1st respondent to consider the petitioner's representation dated 09.01.2017 and to grant pensionary benefits and terminal benefits by taking account of 50% temporary service of the petitioner served in the 1st respondent Corporation from 11.06.1975 to 21.02.1987 as per G.O.Ms.No.408 dated 25.08.2009 finance (Pension) Department and other service benefits along with suitable interest to the petitioner.

For Petitioner : Mr.N.Beulah John Selvaraj

For Respondents : Mr.G.Anantha Rangan
Standing Counsel for Corporation
for R1 & R2
Mr.P.Sanjai Gandhi,
Additional Government Pleader
for R3

O R D E R

By consent, the writ petition is taken up for final disposal.

2. Mr.G.Anantha Rangan, learned Standing counsel for Chennai Corporation accepts notice for respondents 1 and 2 and Mr.P.Sanjai Gandhi, learned Additional Government Pleader accepts notice on behalf of the 3rd respondent.

3. The petitioner joined as a substitute sanitary worker in the service of the Corporation of Chennai on 11.06.1975 and was made permanent on 21.02.1987 and at that time of his retirement on 30.06.2016, he was working as the Sanitary Inspector at Unit 22, Zone VIII, Greater Corporation of Chennai. The petitioner made several representations dated 09.06.2016, 09.01.2017 and 10.01.2017 to the respondents to count 50% of temporary service commencing from 11.06.1975 to 21.02.1987 along with regular service for payment of pensionary benefit in terms of G.O.Ms.No.408 Finance Department dated 25.08.2009. Though the same was received and acknowledged, it is yet to be favoured with any kind of response. Hence, he came forward to file this writ petition.

4. Heard the learned counsel for the petitioner, Mr.G.Anantha Rangan, learned Standing counsel appearing for the Corporation and Mr.P.Sanjai Gandhi, learned Additional Government Pleader appearing for the 3rd respondent.

5. Though the petitioner prays for a larger relief, this Court, in the light of the above facts and circumstances, without going into the merits of the claim projected by him, directs the respondents to consider and dispose of the petitioner's representations dated 09.06.2016, 09.01.2017 and 10.01.2017 on merits and in accordance with law, after taking note of G.O.Ms.No.408 Finance Department dated 25.08.2009, and pass orders within a period of ten weeks from the date of receipt of a copy of this order and communicate the decision taken to the petitioner. The writ petition is disposed of accordingly. No costs.

Sd/-
Assistant Registrar(CS II)

//True Copy//

Sub Assistant Registrar

vsi

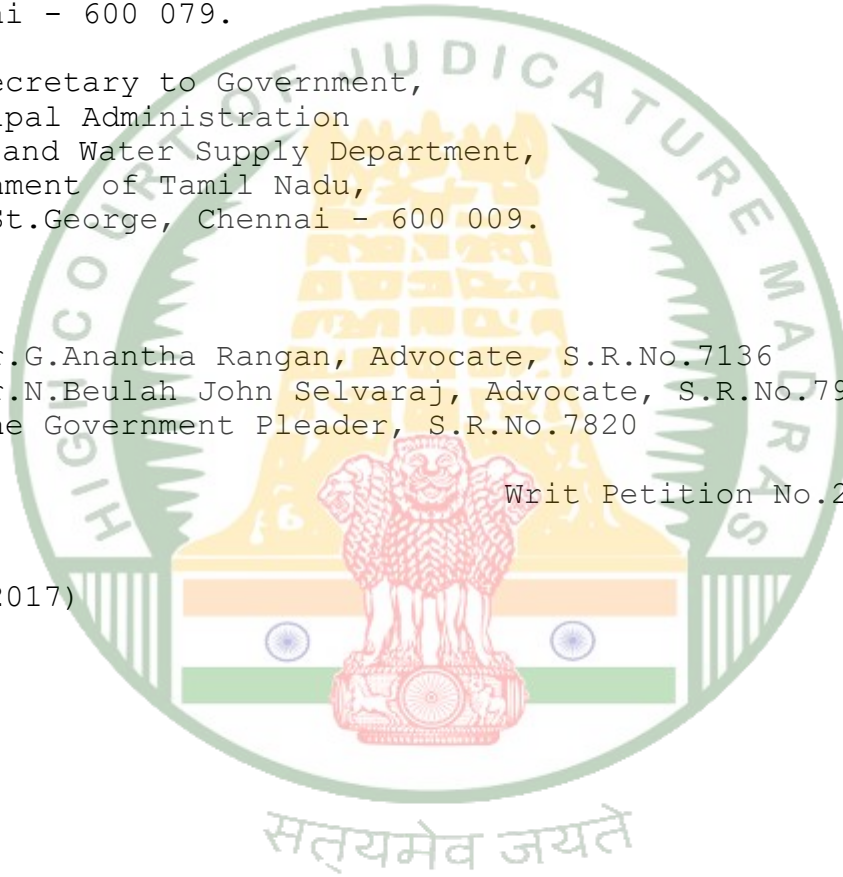
To

1. The Commissioner,
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Chennai - 600 079.
3. The Secretary to Government,
Municipal Administration
and Water Supply Department,
Government of Tamil Nadu,
Fort St.George, Chennai - 600 009.

+1cc to Mr.G.Anantha Rangan, Advocate, S.R.No.7136
+1cc to Mr.N.Beulah John Selvaraj, Advocate, S.R.No.7947
+1cc to the Government Pleader, S.R.No.7820

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