

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.09.2017

CORAM

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No.35038 of 2016

P.Velmurugan

..Petitioner

-vs-

1. The Government of Tamil Nadu
rep.by the Director of Collegiate Education
Chennai 600 006
2. The Deputy Director of Collegiate Education
Madras Region
Saidapet
Chennai 600 015
3. The Secretary
Pachaiyappa's Trust Board
113, E.V.R.High Road
Shenoy Nagar
Chennai 600 030
4. The Secretary
Committee of Management of
Pachaiyappa's College for Men
Kancheepuram 631 503
at the premises of Pachaiyappa's College
Chetpet, Chennai 600 030
5. The Principal
Pachaiyappa's College for Men
Kancheepuram 631 503

..Respondents

Petition under Article 226 of the Constitution of India, praying for the issue of a Writ of Mandamus, directing the respondents to consider the petitioner's representation dated 21.03.2016 for grant of minimum pension to the petitioner from 01.08.1985 onwards till date and other eligible retirement benefits including monthly pension in future.

For Petitioner ::

Ms.K.Akhilandeswari

For Respondents::

Mr.R.S.Selvam

Government Advocate for R1 & 2

Mr.M.Devendran for R3

No appearance for R4 & 5

ORDER

The relief sought for in this writ petition is for a direction to the respondents to consider the representation submitted by the writ petitioner on 21.3.2016 in respect of grant of minimum pension to the petitioner with effect from 1.8.85.

2. The learned counsel for the writ petitioner submits that the writ petitioner was appointed as an Attender in Pachaiyappa's College for Men at Kancheepuram on 3.5.71 and thereafter promoted to the post of Lower Division Clerk with effect from 14.7.72 and his services were confirmed in the year 1976. The post of Lower Division Clerk was re-designated as Junior Assistant and accordingly, the salary and other service benefits are provided by the State of Tamil Nadu under the provisions of the Tamil Nadu Private Colleges Act. However, the right of pension is denied to the petitioner on account of the non-sanction of medical leave. Further, the learned counsel for the petitioner submits that the writ petitioner has completed ten years of service. Therefore, he is eligible at least for minimum pension. In this regard, the writ petitioner submitted a representation to the respondents on 21.3.2016 and the same is yet to be considered.

3. Thus, without going into the merits of the case, the third respondent is directed to consider the representation submitted by the writ petitioner on 21st March, 2016 and pass 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. Accordingly, the writ petition stands disposed of. Consequently, W.M.P.No.30208 of 2016 is closed. However, no order as to costs.

Sd/-

Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

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To

1. The Director of Collegiate Education
Chennai 600 006
2. The Deputy Director of Collegiate Education
Madras Region
Saidapet, Chennai 600 015

3. The Secretary
Pachaiyappa's Trust Board
113, E.V.R.High Road
Shenoy Nagar, Chennai 600 030

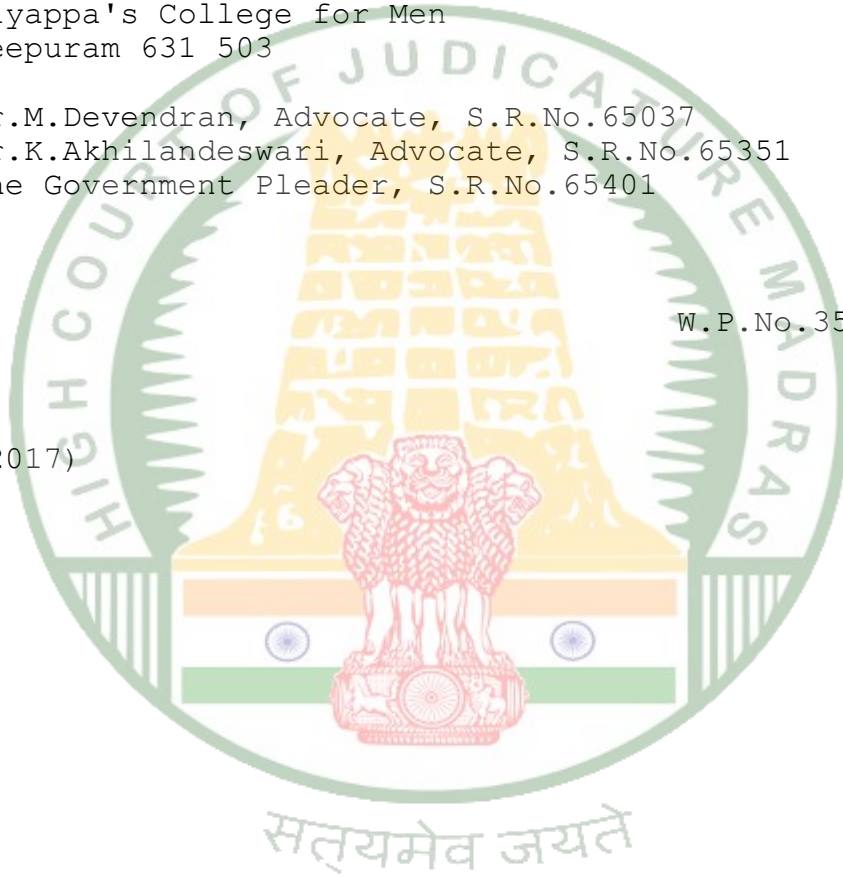
4. The Secretary
Committee of Management of
Pachaiyappa's College for Men, Kancheepuram-631 503
at the premises of Pachaiyappa's College
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5. The Principal
Pachaiyappa's College for Men
Kancheepuram 631 503

+1cc to Mr.M.Devendran, Advocate, S.R.No.65037
+1cc to Mr.K.Akhilandeswari, Advocate, S.R.No.65351
+1cc to the Government Pleader, S.R.No.65401

W.P.No.35038 of 2016

SVI (CO)
GN(05/10/2017)



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