



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated : 16.11.2017

CORAM :

WEB COPY

THE HONOURABLE MR.JUSTICE P.D.AUDIKESAVALU

W.P(MD)No.360 of 2011
and M.P. (MD) No.1 of 2011

P.Alangarababu

... Petitioner

vs.

1.Manonmaniam Sundaranar University,
represented by its Registrar,
having Office at Abieshakapatti,
Tirunelveli - 627 012.

2.The Registrar,
Manonmaniam Sundaranar University,
having Office at Abishakapatti,
Tirunelveli - 627 012.

... Respondents

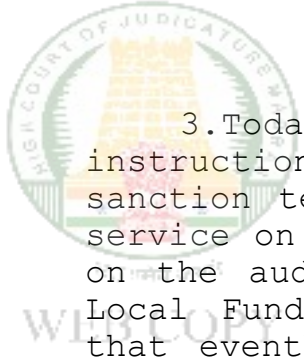
Prayer: Petition filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Certiorarified Mandamus, calling for the records relating to the proceedings of the second respondent in No.MSU/R/ESTT/T/LIBRARY/PENSION/2010 dated 23.09.2010, quash the same and to direct to fix the Pension in accordance with the Pension Proposal submitted by the petitioner already along with interest as may be fixed by this Honourable Court.

For Petitioner	: Mr.S.K.Mani
For Respondents	: Mr.Mahaboob Athiff for M/s.Ajmal Associates

ORDER

This writ petition has been filed challenging the proceedings dated 23.09.2010 in No.MSU/R/ESTT/T/LIBRARY/PENSION/2010 of the second respondent, requesting the petitioner to submit the Revised Pension Proposal on the pay last drawn on completion of 58 years of age and for a consequential direction to fix the Pension in accordance with the Pension Proposal submitted by the petitioner already along with interest.

2.Heard Mr.S.K.Mani, learned counsel appearing for the petitioner and Mr.Mahaboob Athiff, learned counsel appearing for the respondents.



3.Today, learned counsel appearing for the respondents on instruction states that the respondent University is ready to sanction terminal benefits to the petitioner, who had retired from service on 31.08.2009 A.N. on completing the age of 60 years, based on the audit certificate to be issued by the Assistant Director, Local Fund Audit Department, Tirunelveli. It is further submitted that even though the cadre of Assistant Librarian comes under non teaching post as per the statutory provision, but as the petitioner who was deployed from Madurai Kamaraj University and his retirement age has been considered as "60" on a par with Assistant Librarian in Madurai Kamaraj University, the same would not be taken as a procedure in future.

4.Recording the aforesaid submissions made by the learned counsel for the respondents, this Writ Petition is disposed of accordingly. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-
Assistant Registrar

/True Copy/

Sub Assistant Registrar

+ 1 CC TO M/s.AJMAL ASSOCIATES, IN SR No. 87688

SJ
TE/SV-MMS/SAR-2 : 28/11/2017 : 2P/2C

order in
W.P (MD) No.360 of 2011
and M.P. (MD) No.1 of 2011
16.11.2017