

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06.12.2018

CORAM:

THE HON'BLE Dr. JUSTICE S.VIMALA

Writ Petition No.24266 of 2018

D.Selvaraj

... Petitioner

..vs..

- 1 The Chairman cum Managing Director
No.144 TANGEDCO (TNEB)
Anna Salai Chennai - 600002
- 2 The Chief Engineer (Personnel)
No. 144 TANGEDCO Anna Salai Chennai - 2
- 3 The Secretary To Government,
Planning Development & Special Initiative
Department
Secretariat Chennai - 600009 ... Respondents

Prayer:- Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus directing respondents 1 and 2 to consider petitioner's representation dated 19.07.2018 to initiate steps to include petitioners past services rendered in the economical and statistical department 13.10.1981 to 22.11.1984 for pensionary benefits on similar footing of the petitioner's colleagues in the statistical department as well as in TNEB Nesamony and Nagarajan.

For Petitioner : Mr. S.Selvamony
For Respondents : Mr.A.N.Thambidurai,
Spl.G.P.,

सत्यमेव जयते

O R D E R

This writ petition has been filed by the petitioner seeking directions to the respondents to include the petitioner's past services rendered in the economic and statistics departments from 13.10.1981 to 22.11.1984, as qualifying service for pension, on par with his colleagues (Nesamony and Nagarajan).

2. The petitioner retired from the services of TNEB on 31.01.2017. Before joining TNEB, the petitioner has worked from 13.10.1981 to 22.11.1984 as Assistant

Statistical Instructor. To that extent, recognizing his services, a letter has been given. On 15.03.2007, the petitioner gave a representation to the Superintending Engineering, TNEB, K.K.Nagar, Chennai - 78, to include the petitioner's past services in the Statistical Department for providing pension. Similarly placed two persons namely, Nesamani and Nagarajan, were provided pension after including the services rendered by them in the Statistical Department from 12.10.1981 to 06.01.1984.

3. Under such circumstances, the petitioner claims that he should also be treated on par with the other two similarly placed persons by including his past services in the Statistical Department for pensionary benefits.

3.1. Ensuring equal protection and equal treatment to persons belonging to equal status is the duty and responsibility of the State under Article 14 of the Constitution of India.

4. Under such circumstances, this writ petition is disposed of, directing the respondents to consider the representation dated 19.07.2018, preferred by the petitioner, in terms of the earlier benefit granted to the other two similarly placed persons and to pass appropriate orders within a period of eight weeks from the date of receipt of a copy of this order. No costs.

Sd/-

Assistant Registrar(Co)

//True Copy//

Sub Assistant Registrar

srk

To

- 1 The Chairman cum Managing Director
No.144 TANGEDCO (TNEB), Anna Salai Chennai -
600002
- 2 The Chief Engineer (Personnel), No. 144 TANGEDCO
Anna Salai Chennai - 2
- 3 The Secretary To Government,
Planning Development & Special Initiative
Department
Secretariat Chennai - 600009

+1cc to Mr.S.Selvamony , Advocate SR.No. 84097

+1 CC TO GOVERNMENT PLEADER SR.NO. 58060

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A.SK(29/01/2019)