

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.01.2018

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

W.P.No.1810 of 2018

A.Mathivanan

.. Petitioner

-vs-

1. The Deputy Secretary to Government
Personnel and Administrative Reforms (S) Department
Fort St.George
Chennai 600 009
 2. The Commissioner
State Commission for the Differently Abled
No.15/1, Model School Street
Thousand Lights
Chennai 600 006
 3. The Registrar of Cooperatives
No.170, EVR Road
Kilpauk
Chennai 600 010
- .. Respondents

Petition under Article 226 of the Constitution of India, praying for the issue of a Writ of Certiorarified Mandamus, to call for the records of the first respondent in Letter No.33980/S1/2017-1 dated 09.10.2017 and quash the same and further direct the respondents to increase the retirement age from 58 to 60 for the differently abled person.

For Petitioner :: Mr.G.Ilamurugu

For Respondents :: Mr.V.Jayaprakash Narayanan
Special Government Pleader
for R1 & 2
Mr.L.P.Shanmughasundaram
Special Government Pleader for R3

ORDER

This writ petition has been filed challenging the impugned order dated 9.10.2017 issued by the Deputy Secretary to Government, Personnel and Administrative Reforms (S) Department refusing the request of the petitioner, who is a physically challenged, working as Secretary in Kaatampoondi Cooperative

Bank, to increase the age of retirement from 58 to 60 years as a special concession to the differently abled person.

2. Learned counsel for the petitioner submitted that the petitioner, after obtaining his Post Graduate Degree and Diploma in Cooperative management, entered the services of the cooperative society through employment exchange on 22.12.89 and subsequently got promoted as Secretary and presently working in the Kaatampoondi Cooperative Bank. Since his service is meritorious, as there is no adverse remark made in his service records till date, he has given a representation on 24.8.2017 to the Government of Tamil Nadu to increase the retirement age of the disabled persons having disability of 70% or more, from 58 to 60 years. The said representation was also forwarded to the first respondent for active consideration. But the first respondent, instead of considering the same, has wrongly rejected the request, which is against the reforms taken by the Government of Haryana dated 31.1.2006, he pleaded.

3. A reading of the said proceeding dated 31.1.2006 issued on behalf of the Chief Secretary to the Government of Haryana shows that the Group A employees of that State who possess the minimum degree of disability of 70% may be allowed to continue in service by raising the normal retirement age from 58 to 60 years. But these are all the matters to be examined by the Government of Tamil Nadu and not by this Court. Therefore, this Court is not inclined to entertain the writ petition. Accordingly, the writ petition is dismissed. Consequently, W.M.P.No.2228 of 2018 is also dismissed. No costs.

Sd/-
Assistant Registrar

//True Copy//
सत्यमेव जयते

Sub Assistant Registrar

ss

To

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1 cc to MR. G. Ilamurugu, Advocate, Sr. 6922
1 cc to Government Pleader, Sr. 7489

W.P.No.1810 of 2018

RR (CO)
kk 17/2



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