



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 13.02.2018

CORAM :

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P. (MD) No.654 of 2018

P.Ayyasamy

... Petitioner

Vs.

1. The General Manager,
Chennai Metropolitan Water
Supply and Sewerage Board,
No.1, Pumping Station Road,
Chintadripet, Chennai-2.
2. The Joint Registrar of
Co-operative Societies,
Sivagangai, Sivagangai District.
3. The Deputy Registrar of
Co-operative Societies,
Public Distribution System,
Sivagangai, Sivagangai District.

... Respondents

Prayer: Writ petition is filed under Article 226 of Constitution of India, to issue a Writ of Mandamus, to direct the second respondent to revise the provisional pension by calculating the service rendered by the petitioner as Junior Assistant from 11.08.1982 to 31.07.1986 in the light of proceedings issued by the first respondent in க.எண்.செகுவா/பமநி/நிம2/29001/2017 dated 06.11.2017 and by considering the petitioner's representation dated 17.11.2017 within the period that may be stipulated by this Court.

For petitioner

: Mr.C.Ventatesh Kumar
for M/s.Ajmal Associates

For Respondents

: Mrs.S.Srimathy,
Special Government Pleader
for R2 and R3

Mr.Aayiram K. Selvakumar for R1

**ORDER**

The petitioner had earlier served in Madras Metropolitan Water Supply and Sewerage Board for almost 4 years. Thereafter, he left the said service and joined in the Co-operative societies department. He was initially appointed as Junior Inspector and later as Cooperative Sub Registrar in the year 2008. The grievance of the petitioner is that the services put in by him in Madras Metropolitan Water Supply and Sewerage Board was not taken into account while computing his provisional pension.

2.It is seen that the petitioner has not been allowed to retire. Therefore, at the stage of paying provisional pension only last drawn pay will be taken into account. However, it is made clear that when the petitioner's pension proposals are finalised, the services put in by him in madras Metropolitan Water Supply and Sewerage Board will have to be taken into account.

3.It is needless to mention that the petitioner will have to furnish proof of having worked in Chennai Metropolitan Water Supply and Sewerage Board for the period from 1982 to 1986. He should also further establish that his resignation from the Board was only technical in nature and there was no break in service. Subject to the petitioner satisfying those conditions, the case of the petitioner for counting the services put in by him in the Board will have to be definitely taken into account.

4.With these observations, the writ petition is dismissed. No costs.

Sd/-

Assistant Registrar(T&P)

/True Copy/

Sub Assistant Registrar

To

1. The Joint Registrar of
Co-operative Societies,
Sivagangai, Sivagangai District.

2. The Deputy Registrar of
Co-operative Societies,
Sivagangai, Sivagangai District.



3. The General Manager,
Chennai Metropolitan Water
Supply and Sewerage Board,
No.1, Pumping Station Road,
Public Distribution System,
Chintadripet, Chennai-2.

- + 1 cc TO M/S.Ajmal Associates , Advocate in SR No. 48420
- + 1 cc TO Mr.Aayiram K.Selvakumar , Advocate in SR No. 48152
- + 1 cc TO The Special Government Pleader in SR No. 48616

skm

AE/KKR/SAR3/15.03.2018/3P/7C

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