

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT****DATED : 10.04.2018****CORAM :****THE HONOURABLE MR.JUSTICE R.SURESH KUMAR****W.P(MD)No.7713 of 2018**

K.Phuthapandy

... Petitioner

Vs.

1. State of Tamil Nadu,  
rep. by its Secretary,  
Department of Municipal Administration  
and Water Supply,  
Fort St. George, Chennai.
2. The Director of Town Panchayat,  
O/o.the Director of Town Panchayat,  
Kuralagam, Chennai.
3. The Assistant Director of Town Panchayat,  
O/o.the Assistant Director of Town Panchayat,  
Thirunelveli District.
4. The Executive Officer,  
Kallidaikurichi Special Grade Town Panchayat,  
Tirunelveli District.

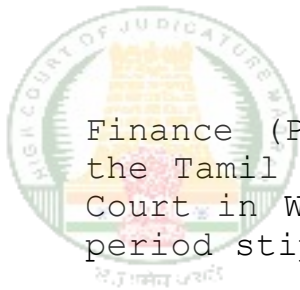
... Respondents

**Prayer:** This Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondent to calculate half of the temporary service rendered by the petitioner for pension benefits and provide all other consequential benefits as per G.O.Ms.No.408, Finance (Pension) Department, dated 25.08.2009 and Rule 11(2) of the Tamil Nadu Pension Rules in the light of the Judgment of the Hon'ble Madurai Bench of Madras High Court in W.A.(MD) No.547 of 2012 dated 24.08.2017 within the time period stipulated by this Court.

For Petitioner : Mr.T.Lajapathiroy  
For Respondents : Mrs.S.Srimathy, Spl.G.P.

**O R D E R**

The prayer sought for in this Writ Petition is for a Writ of Mandamus, directing the respondent to calculate half of the temporary service rendered by the petitioner for pension benefits and provide all other consequential benefits as per G.O.Ms.No.408,



Finance (Pension) Department, dated 25.08.2009 and Rule 11(2) of the Tamil Nadu Pension Rules in the light of the Judgment of this Court in W.A.(MD) No.547 of 2012 dated 24.08.2017 within the time period stipulated by this Court.

2. Heard MR.T.Lajapathy Roy, learned counsel appearing for the petitioner and Mrs.S.Srimathy, learned Special Government Pleader appearing for the respondents.

3. The learned counsel appearing for the petitioner submits that, though the petitioner seeks for the afore stated prayer, the learned counsel would submit that the prayer would be confined that his request that in respect of his grievance, he has given a representation on 19.03.2018 and if the said representation is considered and orders are passed on merits and in accordance with law, the petitioner shall be satisfied.

4. In view of the limited prayer now has been sought for by the learned counsel for the petitioner, this writ petition is disposed of with the following direction.

5. The petitioner's representation dated 19.03.2018 with regard to his contention in the light of G.O.Ms.No.408, Finance (Pension) Department, dated 25.08.2009 and Rule 11(2) of the Tamil Nadu Pension Rules and in the light of the Judgment of the Madurai Bench of Madras High Court in W.A.(MD)No.547 of 2012 dated 24.08.2017 shall be considered and an order to that effect shall be passed on merits and in accordance with law, within a period of eight weeks from the date of receipt of a copy of this order.

6. With this direction, this writ petition is disposed of. No costs.

Sd/-

Assistant Registrar (AS)

/True Copy/

Sub Assistant Registrar

To

1. The Secretary,  
State of Tamil Nadu,  
Department of Municipal Administration  
and Water Supply,  
Fort St. George, Chennai.

2. The Director of Town Panchayat,  
O/o. the Director of Town Panchayat,  
Kuralagam, Chennai.



3. The Assistant Director of Town Panchayat,  
O/o.the Assistant Director of Town Panchayat,  
Thirunelveli District.

4. The Executive Officer,  
Kallidaikurichi Special Grade Town Panchayat,  
Tirunelveli District.

+ 1 cc TO Mr.T.Lajapathi Roy , Advocate in SR No. 60798

Arul

AE/SKN RSK/SAR4/23.04.2018/3P/6C

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**10.04.2018**