



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 08.01.2018

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P.(MD) Nos.15352 to 15354 of 2014

Raja Pandian	... Petitioner in W.P.No.15352 of 2014
Murugan	... Petitioner in W.P.No.15353 of 2014
Manickavasagam	... Petitioner in W.P.No.15354 of 2014

Vs.

1.The Superintending Engineer,
Tuticorin Thermal Power Station,
Tamil Nadu Generation and
Distribution Corporation Limited,
(TANGEDCO),
Tuticorin-4,
Tuticorin District.

2.The Chairman,
Tamil Nadu Generation and
Distribution Corporation Limited,
(TANGEDCO),
144, Anna Salai,
Chennai-600 002.

...Respondents in all petitions

Common Prayer : Writ Petitions filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the respondents to sanction the pension benefits to the petitioners from the date of retirement taking into account the petitioners entire period of service with the respondents including the period of service through contractors.

For Petitioners : Mr.V.Kannan

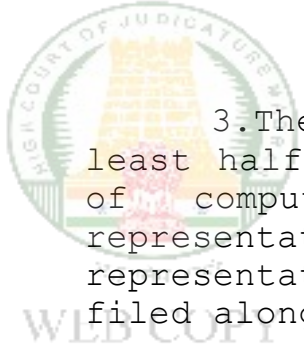
For Respondents : Mrs.P.Malini

for T.S.Gopalan and Company

COMMON ORDER

Heard the learned counsel on either side.

2.The petitioners were TNEB employees. They had retired from service also. But they could not get pension as a matter of right because they had not put in ten years of regular service. It is seen that the petitioners have worked as contract helpers for more than ten years prior to their absorption in Tamil Nadu Electricity Board.



3.The learned counsel for the petitioners submits that at least half of the said period should be reckoned for the purpose of computing the pension. The petitioners submitted representations in this regard and the copies of the said representations are very much available in the typed set of papers filed along with the writ petitions.

4.The learned Standing counsel appearing for the respondents placing reliance on the order dated 28.10.2015 made in W.A.(MD.). No.785 of 2015-(The Superintending Engineer, Tuticorin Thermal Power Station, Tamil Nadu Electricity Board, Tuticorin-4, Tuticorin District Vs. Ponduraj), contended that the petitioners are not entitled to payment of any pension and that therefore the writ petitions deserve to be dismissed.

5.I went through the said order passed by the Hon'ble Division Bench. Even in the said order the Board had been called upon to take a decision in the matter. In such view of the matter, the Board of TANGEDCO shall take a decision in the matter. Such decision with regard to the entitlement of the petitioners for pension will be taken within a period of 12 weeks from the date of receipt of a copy of this order.

6.These Writ Petitions are disposed of accordingly. No costs.

Sd/-

Assistant Registrar(Writs)

/True Copy/

Sub Assistant Registrar

To

+3cc to M/S.V.Kannan, Advocate SR.No. 40980

+1cc to M/S.P.Malini, Advocate SR.No. 40958

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tsg

JM/JC/SAR 4/01.02.2018/2P/5C