



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 23.07.2018

CORAM :

THE HONOURABLE MR.JUSTICE R.SURESH KUMAR

W.P(MD)No.15979 to 15988 of 2018

WEB COPY

1 C.SETHURAMALINGAM	... Petitioner in WP(MD)No.15979/2018
2 A.MURUGAN	... Petitioner in WP(MD)No.15980/2018
3 T.SOUNDARARAJ	... Petitioner in WP(MD)No.15981/2018
4 V.SIVASANGUPAULRAJ	... Petitioner in WP(MD)No.15982/2018
5 S.NAMBINARAYANAN	... Petitioner in WP(MD)No.15983/2018
6 P.RAMALINGAM	... Petitioner in WP(MD)No.15984/2018
7 C.SRINIVASASAGAR	... Petitioner in WP(MD)No.15985/2018
8 N.KASILINGAM	... Petitioner in WP(MD)No.15986/2018
9 L.SUBBIAH	... Petitioner in WP(MD)No.15987/2018
10 A.DEVARAJ	... Petitioner in WP(MD)No.15988/2018

VS

1 THE SECRETARY, REVENUE DEPARTMENT,
GOVERNMENT OF TAMIL NADU,
ST.GEORGE FORT, CHENNAI.

2.THE COMMISSIONER,
DEPARTMENT OF SURVEY AND LAND RECORDS,
CHEPAUK, CHENNAI ... Respondents in All Cases

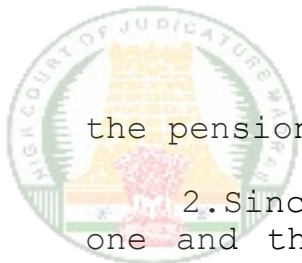
COMMON PRAYER IN WP(MD)Nos.15979 to 15988 of 2018:

Writ Petitions are filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus directing the 1st respondent herein to consider the petitioners representation dated 05/06/2018, 27.05.2018, 27.05.2018, 11.06.2018, 27.05.2018, 05.06.2018, 28.05.2018, 28.05.2018, 27.05.2018 and 28.05.2018 and pass appropriate orders for regularize the service of the petitioner on temporary basis from 29/03/1985 to 07/05/1995, 13.02.1984 to 11.08.1996, 08.10.1984 to 07.05.1995, 01.03.1985 to 07.05.1995, 15.06.1983 to 26.03.1995, 06.08.1984 to 07.05.1995, 20.12.1984 to 07.05.1995, 13.02.1984 to 11.08.1996, 15.03.1983 to 31.03.1992 and 27.02.1985 to 07.05.1995 respectively, for calculating the pensionary benefits.

For Petitioner : Mr.D.Nallathambi
For Respondents : Mr.D.Muruganantham, AGP
(in all cases)

COMMON ORDER

The prayer sought for in these writ petitions is for a writ of mandamus, directing the 1st respondent herein to consider the petitioners' representation dated 27.05.2018, 28.05.2018 05.06.2018 and 11.06.2018 and pass appropriate orders for regularise the services of the petitioners on temporary services for calculating



the pensionary benefits.

2. Since the prayer sought for in all these writ petitions are one and the same and the issue raised herein also same and these petitioners had been working in the respondent department and retired as Inspectors of Survey and in view of the common grievance projected by the petitioners, with the consent of both sides, all these writ petitions are taken up for hearing jointly and are being disposed of by this common order.

3. Heard Mr.D.Nallathambi, learned counsel appearing for the petitioners and Mr.D.Muruganantham, learned Additional Government Pleader appearing for respondents.

4. The learned counsel appearing for the petitioners would submit that, all these petitioners had been working and retired from the department of Survey and Land Records as Inspectors of Survey. Initially, their appointment had been made temporarily and in that capacity, they had been working for some years and thereafter, by making repeated request, the petitioners were able to get absorption and their services had been regularised. Though the service of the petitioners had been regularised subsequently, the regularisation has not been given effect to from the date of initial appointment and accordingly, the pension benefits were calculated only from the date of regular appointment, with the result, the petitioners are not able to get the actual pay benefits as well as the pension for which they are entitled to or eligible to. Therefore, in this regard, the petitioners have given representations to the respondents on 27.05.2018, 28.05.2018 05.06.2018 and 11.06.2018 and the said representations since have not been considered so far by the respondents, the petitioners are before this Court.

5. The learned counsel appearing for the petitioners in this regard would submit that, if the representations given by these petitioners are directed to be considered by the respondents, on merits and in accordance with law, especially on the basis of the relevant Government Orders, which are in force with regard to the entitlement of the petitioners for calculating the services of the petitioner from the date of appointment and an order to that effect is directed to be passed by the respondents, within a time frame, the petitioners would be satisfied.

6. I have heard the learned Additional Government Pleader appearing for the respondents, who would submit that the said representations given by the petitioners seeking the benefit of calculating their services rendered by them from the date of appointment till the superannuation for the purpose of pensionary benefits would be considered on merits by the respondents, within a time frame and an order to that effect would be passed thereon.

7. By taking into account the aforesaid submissions made by both sides and considering the limited scope of these writ petitions, this court is inclined to pass the following order:



"The respondents are directed to consider the representations of the petitioner dated 27.05.2018, 28.05.2018 05.06.2018 and 11.06.2018 and pass orders thereon, with regard to the grievance of the petitioner to calculate their services rendered by them from the date of appointment till the date of superannuation including the services rendered by them before they got absorption for the purpose of pay fixation and pensionary benefits and necessary orders shall be passed by the respondents, within a period of eight weeks from the date of receipt of a copy of this order."

8. With the above direction, these writ petitions are disposed of. No costs.

Sd/
Assistant Registrar(CO)

/True copy/

Sub Assistant Registrar(CS-II)

To

1. The Secretary to Government of Tamil Nadu,
Revenue Department,
St. George Fort,
Chennai.

2. The Commissioner,
Department of Survey and Land Records,
Chepauk, Chennai.

+10cc to Mr.D.NALLATHAMBI, Advocate, SR.No.74413,74414,74415,74416,
74417,74418,74419,74420,74421,74422
+1cc to M/s.Special Government Pleader,SR.No. 74468

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23.07.2018

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