



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 02.03.2018

CORAM:

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P. (MD) No.10697 of 2017

R.Palanivelu

... Petitioner

Vs.

1.The Director (TANHODA),
Department of Horticulture,
Chennai -5.

2.The Deputy Director of Horticulture,
Department of Horticulture,
Pudukkottai,
Pudukkottai District.

... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus to call for the records pertaining to the order passed by the 2nd respondent in his proceedings in Se.Mu.A4/2136/2016 dated 26.04.2017 retiring the petitioner on 30.04.2017 and quash the same as illegal and direct the respondents to reinstate the petitioner into service in the 2nd respondent office as Farm Labourer and permit the petitioner to discharge his duty till the attainment of 60 years of age i.e. on 30.04.2019 by considering the petitioners representation dated 22.05.2017.

For Petitioner : Mr.K.Balasundharam

For Respondents : Mrs.S.Srimathy S.G.P.,

O R D E R

Heard the learned counsel appearing on either side.

2.By consent of both parties, this writ petition is taken up for final disposal.



3. The petitioner is working as Farm Mazdoor in the Department of Horticulture. The second respondent passed the impugned order dated 26.04.2017 relieving the petitioner from service on 30.04.2017 as he completed the age of 58 years.

4. The contention of the petitioner is that for Farm Labour the age of retirement is 60.

5. This is not disputed by the learned Special Government Pleader appearing for the respondents.

6. Therefore, the impugned order dated 26.04.2017 passed by the second respondent is quashed. The respondents are directed to retain the petitioner in service till the completion of 60 years that is 30.04.2019.

7. This writ petition is allowed as indicated above. No costs.

Sd/-

Assistant Registrar(T&P)

/True Copy/

Sub-Assistant Registrar

To

1. The Director (TANHODA),
Department of Horticulture,
Chennai -5.

2. The Deputy Director of Horticulture,
Department of Horticulture,
Pudukkottai,
Pudukkottai District.

Skn

RL/3C/2P/JC/SAR2/15/3/2018

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