

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATE: 22.01.2019

CORAM

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P.No.1287 of 2019

G.Veerapandian

... Petitioner

vs.

- 1 Government of Tamil Nadu
Rep. by its Principal Secretary,
Animal Husbandry Dairying and Fisheries Department,
Secretariat, Chennai 9.
- 2 The Registrar, Tamilnadu Veterinary and Animal
Sciences University, Madhavaram Milk Colony
Chennai 600 051.
- 3.The Dean, Madras Veterinary College, Vepery
Chennai 600 007. Respondents.

PRAYER: Writ petition has been filed under Article 226 of the Constitution of India, praying for a Writ of mandamus directing the 1st respondents to pass orders for counting half of the services of the petitioner as Casual Labourer from 17.5.1981 to 14.5.2006 of the petitioner on daily wage basis along with his regular service as Attendant from 15.5.2006 till the date of his superannuation i.e. 31.7.2018 on that basis to construe that he is regularly appointed well prior to 1.4.2003 for applicable of Tamil Nadu Pension Rules 1978 and grant him all consequential retirement and pensionary benefits to the petitioner within a limited time frame.

For Petitioner : Mr.M.Ravi

For Respondents : Mr.A.N.Thambidurai,
Spl.Government Pleader

O R D E R

This Writ Petition has been filed for a mandamus, directing the respondents to count half of the service rendered by the petitioner as Casual Labourer from 17.05.1981 to 14.05.2006, on daily wage basis along with the regular service from 15.05.2006

till the date of his superannuation ie., on 31.07.2018 so as to construe that he is regularly appointed well prior to 1.4.2003 as per Tamil Nadu Pension Rules 1978 for the purpose of granting pensionary benefits and send the suitable proposal to the fifth respondent for sanctioning pension with all consequential monetary benefits of retirement.

2. The writ petition is taken up for final disposal since, the learned counsel appearing on either sides submitted that the issue raised in the present writ petition is covered by the decision of this Court made in W.P.No.8205 of 2011, dated 19.4.2011 and W.P.No.13832 of 2011, dated 29.6.2011 and were confirmed by the Hon'ble Division Bench in W.A.Nos.27 and 28 of 2012, by a common Judgment, dated 13.2.2012. The Special Leave Petitions filed by the State against those Judgments in S.L.P (Civil) Nos.14838 and 14839 of 2012 were also dismissed on 10.5.2012.

3. Therefore, this Writ Petition is allowed on the same lines, as the above referred writ petitions were allowed, enabling the respondents to count half of the service rendered by the petitioner as qualified service so as to confer pension etc., and pass necessary orders. Such orders shall be passed and implemented within a period of twelve weeks from the date of receipt of a copy of this order. No costs.

Sd/-
Assistant Registrar

//True copy//

Sub Assistant Registrar

kst

To

1. The Secretary Government of Tamil Nadu
Animal Husbandry Dairying and Fisheries Department,
Secretariat, Chennai 9.
- 2 The Registrar, Tamilnadu Veterinary and Animal
Sciences University, Madhavaram Milk Colony
Chennai 600 051.
- 3.The Dean, Madras Veterinary College, Vepery
Chennai 600 007.

+1cc to Mr.M.Ravi, Advocate SR.No.5608

+1cc to Government Pleader SR.No.5038

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SSI (CO)
GMY (20/02/2019)



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