

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12.04.2019

C O R A M

THE HONOURABLE Mr. JUSTICE S.M.SUBRAMANIAM

Writ Petition Nos.3638 to 3644 of 2018

W.P.No.3638 of 2018

D.JOSEPH DENZIL ... Petitioner in WP.NO.3638/18
T.V.SATHYANARAYANAN ... Petitioner in WP.NO.3639/18
P.GAJENDRAN ... Petitioner in WP.NO.3640/18
M.RAJAMOHAMMED ... Petitioner in WP.NO.3641/18
T.V.ASHOK KUMAR ... Petitioner in WP.NO.3642/18
M.MANIVEL ... Petitioner in WP.NO.3643/18
N.KUMAR ... Petitioner in WP.NO.3644/18

Vs.

University of Madras,
Rep.by its Registrar,
Chepauk, Chennai - 5. ... Respondent

PRAYER Petition are filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the Respondent to consider and pass orders on the Representation preferred by the petitioner dated 09.06.2017 for granting pension by counting half of past service for the period from 1983 to 1991 in the light of G.O.Ms.No.408 Finance Department, dated 25.08.2009.

For Petitioners : Mr.K.Duraisamy, Senior counsel
for Mr.Kandhan Duraisami
(in all W.Ps)

For Respondent : Mr.Manisundaragopal
(in all W.Ps)

C O M M O N O R D E R

The relief sought for in these writ petitions are for direction to direct the respondent to consider and pass orders on the representations dated 09.06.2017 submitted by

the petitioners for granting pension by counting half of past services for the period from 1983 to 1991 in the light of G.O.Ms. No. 408, Finance Department, dated 25.08.2009.

2.The learned counsel for the writ petitioners states that the writ petitioners are working in the respondent-University and their services rendered as daily wages / Casual labours are not taken into account for the purpose of reckoning the qualifying services.

3.This Court is of an opinion that counting of 50% of the services rendered by the petitioners taken into account strictly based on the service rules in force as far as the respondent University is concerned.

4.Undoubtedly, the Government issued amendment Rule 11 of the Tamil Nadu Pension Rules and it is to be verified whether the University had adopted the rules for the purpose of extending the same benefit to the employees of the university.

5.However, the respondent is bound to consider the rules in force with reference to the claim made by the petitioners for counting of their past services in order to calculate the qualifying services.

6.Thus, without going into the merits of the matter, the respondent is directed to consider the representations submitted by the writ petitioners on 09.06.2017.

7.Accordingly, these writ petitions stand disposed of. There shall be no order as to costs.

Sd/-

Assistant Registrar (CS)

//True Copy//

Sub Assistant Registrar

may
To

1.The Registrar

University of Madras,
Chepauk, Chennai - 5.

+7ccs to Mr.Manisundaragopal, Advocate SR.No. 37911 to 37917

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A.SK (07/06/2019)

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