

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED :30.04.2019
CORAM
THE HON'BLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No.14898 of 2018
and
W.M.P.Nos.17616 of 2018
and
W.M.P.Nos.12705 of 2019

M.Nagendran

..Petitioner

vs

- 1.The Director,
All India Council for Technical Education,
New Delhi.
- 2.The Director,
Directorate of Technical Education,
Guindy, Chennai - 600 025
- 3.The Secretary,
Sriram Educational Trust,
No.49, Anna Salai, Chennai - 600 002
- 4.The Chairman,
Sriram Educational Trust,
No.49, Anna Salai, Chennai - 600 002
- 5.The Principal,
Sriram Polytechnic College,
Perumalpattu - 602 024
Thiruvallur District.

..Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus, to call for the records relating to the Impugned Office Proceeding No.0493/SRET/2018, dated 09.06.2018 passed by the 3rd respondent and quash the same and to direct the 3rd respondent to permit the petitioner to perform as Superintendent in the office of the 5th respondent college till the petitioner attains the age of 60 years.

For Petitioner : Mr.K.Sivakumar
For Respondent : Mr.B.Rabu Manohar for R1
Mr.K.J.Parthasarathy for R3 to R5
No appearance for R2

O R D E R

The relief sought for in the present writ petition is to quash the order dated 09.06.2018 passed by the 3rd respondent and to direct the 3rd respondent to permit the petitioner to perform as Superintendent in the office of the 5th respondent college till the petitioner attains the age of 60 years.

2.The order impugned in the writ petition states that the respondent Trust Board resolved to relieve the writ petitioner, Thiru.M.Nagendran, Office Superintendent from Service in Sriram Polytechnic College based on the byelaw provision as he has completed 58 years of age as on 31.05.2018 and as his services are no longer required.

3.Pursuant to the orders, the writ petitioner was allowed to retire from service and earlier, the writ petition filed by the writ petitioner in W.P.No.1159 of 2015, challenging the order of transfer, was also closed on account of the fact that the writ petitioner attained the age of superannuation and retired from service.

4.Extension of service can never be claimed as a matter of right. The Rule prescribes that the age for retirement is 58 years. Extension of service are concessions and such extension of service are given in the interest of the administration by the authorities and by recording reasons. Thus, the extension of services cannot be granted in a routine manner and such extensions are to be granted only by considering the special circumstances or the extraordinary performances of the employees and for maintenance of the efficiency level in the public administration. These all are the criteria to be followed, while granting such extension of service.

5.In the present case on hand, the writ petitioner served up to 58 years as per the Rules in force and relieved from service on attaining the age of superannuation.

6.This being the factum, no further adjudication is required and accordingly, the writ petition stands disposed of. However, there shall be no order as to costs. Consequently, connected miscellaneous petitions are closed.

Sd/-
Assistant Registrar(CS)

//True Copy//

Sub Assistant Registrar

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To

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 - 5.The Principal,
Sriram Polytechnic College,
Perumalpattu - 602 024
Thiruvallur District.
- +1cc to Mr.M.M.D .Ibrahim Ali , Advocate SR.No. 42322
+1cc to Mr.B.Rabu Manohar , Advocate SR.No. 72332
+1cc to Mr..K.J.Parthasarathy , Advocate SR.No. 42966
W.P.No.14898 of 2018
A.SK(10/06/2019)

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