

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30.09.2019

CORAM

THE HONOURABLE Mr.JUSTICE M.DHANDAPANI

W.P.No.28739 of 2019

L.Paramasivam

... Petitioner

Versus

1.The Government of Tamilnadu,
Rep. by Principal Secretary to Government,
Revenue Department,
Secretariat, Chennai-9.

2.The Commissioner / Director of Survey
and Settlement,
Chepauk, Chennai-5.

... Respondents

PRAYER : Petition filed under Article 226 of the Constitution of India, praying to issue a Writ or order or orders or direction more particularly a Writ of Mandamus, directing the Respondents to consider the claim of the petitioner for taking into account his entire service on consolidated monthly pay basis from 19.10.1983 in the Survey and Land Records Department along with his regular service from 14.09.1990 in the same Department till the date of superannuation, for arriving at the total qualifying service for pensionary benefits in the light of his representation dated 09.08.2018 and 06.03.2019 and 05.01.2019 and the judgment dated 20.04.2018 in W.A.No.550 of 2015.

For Petitioner : Mr.M.Ravi

For Respondent : Mrs.R.Janaki
Additional Government Pleader

O R D E R

This writ petition has been filed for issuance of Writ of Mandamus to direct the Respondents to consider the claim of the petitioner for taking into account his entire service on consolidated monthly pay basis from 19.10.1983 in the Survey and Land Records Department along with his regular service from

14.09.1990 in the same Department till the date of superannuation, for arriving at the total qualifying service for pensionary benefits in the light of his representation dated 09.08.2018 and 06.03.2019 and 05.01.2019 and the judgment dated 20.04.2018 in W.A.No.550 of 2015.

2. According to the petitioner, he was appointed as Junior Assistant on 19.10.1983 on temporary basis in the Survey & Land Records Department through the District Employment Exchange, Dharmapuri at Krishnagiri, on consolidated monthly pay basis. Subsequently, he was appointed as Junior Assistant u/s. 10(a)(1) of the General Rules for Tamil Nadu State and Subordinate Service w.e.f. 14.09.1990 and thereafter, was declared to have satisfactorily completed the period of probation. By G.O.Ms.No.201, Revenue Department dated 18.08.1997, the Government regularised the petitioner's service from 14.09.1990 in the post of Junior Assistant by granting necessary relaxation of the Special Rules for Tamil Nadu Ministerial Service. Thereafter, the petitioner was elevated to Selection Grade in the said post w.e.f. 14.09.2000 and he was promoted as Assistant on 10.05.2006 and further promoted as Office Superintendent.

3. The grievance of the petitioner is that the service rendered by him on consolidated monthly pay basis has to be taken into account along with his regular service. On 09.08.2018, the petitioner submitted a representation to the respondents in this regard. Since no action is taken by the respondents, he submitted a reminder representation dated 06.03.2019. However, since no action is forthcoming from the respondents, the petitioner is before this Court.

4. The learned counsel for the petitioner would submit that it would suffice to issue direction to the respondents to dispose of the representation in accordance with law.

5. Considering the facts and circumstances of the case and the limited request made by the learned counsel for the petitioner, I am inclined to issue direction to the respondents to dispose of the representation made by the petitioner, if not disposed of already, in accordance with law, within a period of twelve weeks from the date of receipt of a copy of this order. With the above direction, the Writ Petition is disposed of. No costs.

Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

To

1.The Principal Secretary to Government,
Government of Tamilnadu,
Revenue Department,
Secretariat, Chennai-9.

2.The Commissioner / Director of Survey
and Settlement,
Chepauk, Chennai-5.

+1 cc to M/s.M.Ravi,Advocate Sr.No. 84475

+1 cc to The Government Pleader Sr.No. 83989

AKM/18.12.19/3P-5C /

W.P.No.28739 of 2019



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