

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED: 18.12.2019

CORAM

THE HON'BLE MR.JUSTICE N.ANAND VENKATESH

W.P.No.34912 of 2019

M.Manimaran

... Petitioner

-Vs-

1. The Accountant General,
(Accounts and Entitlements of Tamil Nadu)
361, Anna Salai,
Chennai 600 018.

2.The General Manager,
District Industries Centre,
Thanjavur.

3.The Joint Director,
(Industrial Co-operatives),
Chennai 600 005.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the 1st respondent to fix the pension payable to the petitioner on his superannuation on 30.04.1992 taking into account his previous Treasuries and Accounts service under ministerial service and training period in Industrial Co-operative Department under respondents 2 and 3.

For Petitioner : Mr.S.Senthilnathan
For Respondents : Mr.Vijaya Shankar for R1.

Mrs.T.Girija for R2 and R3.

O R D E R

By consent of both side counsels, this writ petition is taken up for final disposal at the admission stage itself.

2.This writ petition has been filed for issuance of Writ of Mandamus directing the first respondent to fix the pension payable to the petitioner by taking into account the previous services rendered by him in the Treasuries and Accounts Department and the training period in the Industrial Co-operative Department.

3.The case of the petitioner is that he joined the Treasuries and Accounts Department of the State Government in the year 1958 and thereafter resigned in the year 1965. The petitioner joined the Industries Subordinate Services in the year 1965 and he was given training for a period of six months. Thereafter, the petitioner has retired in the year 1992.

4.The grievance of the petitioner is that while computing the pension, the seven years service that was put in by the petitioner in the Treasuries and Accounts Department and the training period of six months were not taken into account. According to the petitioner, these services has to be taken into account under Rule 23 of the Pension Rules. Therefore, the petitioner has made a representation to the first respondent to take into account the said period for the purpose of calculating his pension. Since the same has not been acted upon, the present petition has been filed before this Court.

5.Heard Mr.S.Senthilnathan, learned counsel for the petitioner, Mr.Vijayashankar, learned counsel for the first respondent and Mrs.T.Girija, learned Government Advocate appearing on behalf of respondents 2 and 3.

6.Taking into consideration the facts and circumstances of the case and the limited relief that has been sought for in this writ petition, there shall be a direction to the first respondent to consider the representation made by the petitioner on 19.02.2019 and to consider the same on its own merits and in accordance with law and pass appropriate orders within a period of eight weeks from the date of receipt of copy of this order. The petitioner is directed to make a fresh representation to the first respondent along with a copy of the representation dated 19.02.2019 and a copy of this order.

7.This writ petition is disposed of with the above directions. No costs.

Sd/-

Assistant Registrar (CS-VI)

// True Copy//

Sub Assistant Registrar

rm

To

1. The Accountant General,
(Accounts and Entitlements) of Tamil Nadu
361, Anna Salai,
Chennai 600 018.

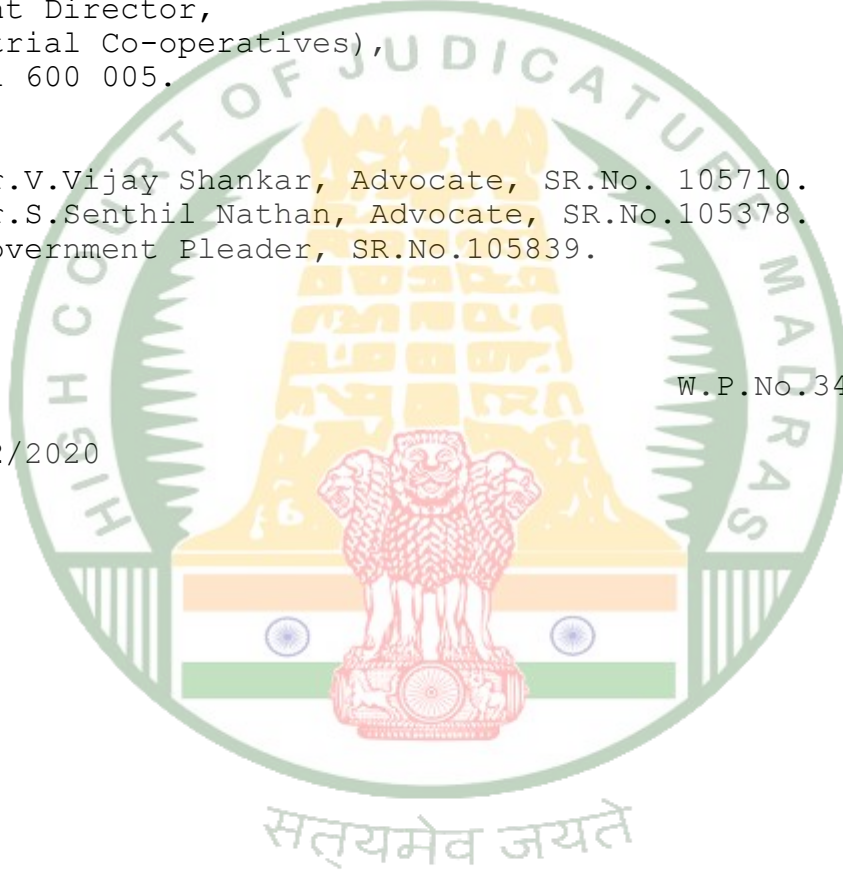
2.The General Manager,
District Industries Centre,
Thanjavur.

3.The Joint Director,
(Industrial Co-operatives),
Chennai 600 005.

+lcc to Mr.V.Vijay Shankar, Advocate, SR.No. 105710.
+lcc to Mr.S.Senthil Nathan, Advocate, SR.No.105378.
+lcc to Government Pleader, SR.No.105839.

KK (CO)
CSR: 04/02/2020

W.P.No.34912 of 2019



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