

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07.01.2019

CORAM:

THE HONOURABLE DR..JUSTICE S.VIMALA

WP.No.34877 of 2018

M.Samuthiram

Petitioner

Vs

The Managing Director
Tamil Nadu Water Supply and Drainage Board
31, Kamarajar Salai
Chepauk, Chennai 600 005.

Respondent

Prayer:- This Writ Petition is filed, under the Article 226 of Constitution of India, to issue a Writ of Mandamus, to direct the respondent to decide the representation, dated 17.05.2017 made by the Petitioner to the respondent, on merits and in accordance with law, within a reasonable time as may be determined by this Court.

For Petitioner : Mr.M.Radhakrishnan

For Respondent : Mr.R.Ganesh Babu

ORDER

By consent of the learned counsel on either side, this Writ Petition is taken up for final disposal, at the admission stage itself. MrR.Ganesh Babu, learned counsel takes notice for the Respondent.

2. This court heard the learned counsel on either side and also perused the materials placed on record.

3. The prayer in this Writ Petition is to direct the respondent to decide the representation, dated 17.05.2017 made by the Petitioner to the respondent, on merits and in accordance with law, within a reasonable time as may be determined by this Court.

4.The case of the Petitioner is that the Petitioner was recruited as a Watchman (NMR) in the Respondent Board on 29.4.1988 and he was terminated from service along with 10 similarly placed employees. Instead of reckoning 480 days of service, during the period between 29.04.1988 and 12.06.1990,

the said service was reckoned after the Petitioner's reinstatement and the Petitioner was accordingly regularized. By virtue of such reckoning, the Petitioner became ineligible to receive pension. He suffers from discriminatory treatment at the hands of the Respondent Board. So stating, the Petitioner had made a representation, dated 17.05.2017 to the Respondent Board. Since the said representation is not considered so far, this Writ Petition has been filed, seeking the relief as stated above.

5. The learned counsel for the Respondent would submit that the said representation of the Petitioner will be considered and disposed of, on merits and in accordance with law, within a time to be fixed by this Court.

6. Having regard to the facts and circumstances of the case and considering the limited scope of the prayer, as sought for in this Writ Petition, without going into the merits of the case, the Respondent is directed to consider the representation of the Petitioner, dated 17.05.2017 and pass appropriate orders, on merits and in accordance with law, within a period of six weeks from the date of receipt of a copy of this order.

7. With the above directions, this Writ Petition is disposed of. No costs.

Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

Srcm

To

The Managing Director
Tamil Nadu Water Supply and Drainage Board
31, Kamarajar Salai
Chepauk, Chennai 600 005.

+lcc to Mr.M.Radhakrishnan, Advocate sr.no.2022

+lcc to Mr.R.Ganesh Babu, Advocate sr.no.1730

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