

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.10.2020

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.25460 of 2013

1.P.Padmavathi

2.D.Rani

3.N.Gnanabushanam

... Petitioners

Vs.

1.The State of Tamil Nadu
rep by The Secretary to the
Government,
Health & Family Welfare Department,
Fort St.George, Chennai 09.

2.The Director of Medical & Rural
Health Services,
Teynampet,
Chennai 06.

3.The Dean,
Government General Hospital,
Chennai.

... Respondents

Prayer:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus to direct the respondents to count the temporary services of the petitioners from their respective initial date of appointment for the purpose of pensionary benefits under the Tamil Nadu Pension Rules 1978 and grant them pension under Old Pension Scheme under the Tamil Nadu Pension Rules 1978.

For Petitioners : M/s.Prem Narayan

For Respondents : Mr.A.N.Thambidurai
Special Government Pleader

ORDER

This writ petition has been filed seeking issuance of Writ of Mandamus to direct the respondents to count the temporary services of the petitioners from their respective initial date of appointment for the purpose of pensionary benefits under the Tamil Nadu Pension Rules, 1978.

2.The case of the petitioners is that the petitioners were initially appointed as Substitute Workers through District Employment Exchange during the year 1988. Thereafter, their services were regularized. The petitioners came to understand that their qualifying services were considered only from the date of their regular appointment and their earlier temporary services were not taken into account for the purpose of pensionary benefits. Hence, the petitioners made representation to the respondents and since there was no response, came forward to file this writ petition.

3.Though very many grounds raised in the affidavit filed in support of the petition, learned counsel appearing for the petitioners submitted that it would suffice if this Court issues direction to the respondents to consider the petitioners representation dated 10.06.2013, within a reasonable time frame as fixed by this Court.

4. On the above contention, this Court heard the submission made by the learned Special Government Pleader appearing for the respondents, has no serious objection for this Court issuing such a direction.

5.In view of the considered view expressed by both side learned counsel above, this Court directs the respondents 1 and 2 to consider the petitioners representation dated 10.06.2013, on merits and in accordance with law and pass appropriate orders, within a period of three months from the date of receipt of a copy of this order.

6.With the above direction, this writ petition is disposed of. There shall be no order as to costs.

Sd/-

Assistant Registrar(CCC)

//True copy//

Sub Assistant Registrar

jrs

To

1.The Secretary to the Government,
Health & Family Welfare Department,
Fort St.George,
Chennai 09.

2.The Director of Medical & Rural
Health Services,
Teynampet,
Chennai 06.

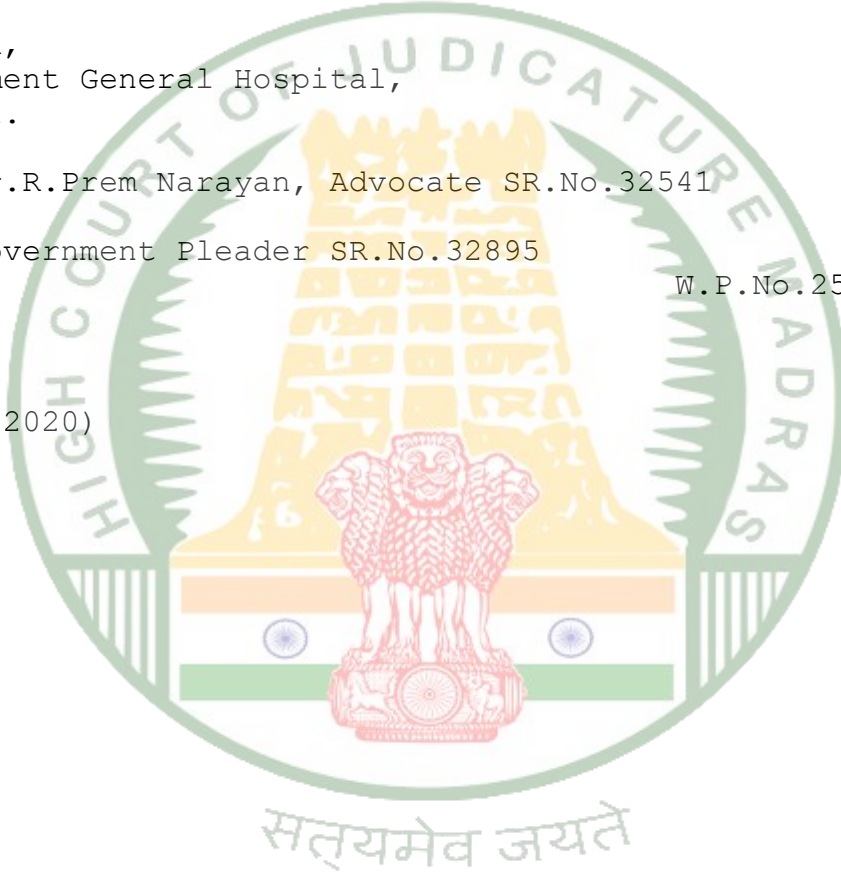
3.The Dean,
Government General Hospital,
Chennai.

+1cc to Mr.R.Prem Narayan, Advocate SR.No.32541

+1cc to Government Pleader SR.No.32895

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SSV(CO)
GMY(09/11/2020)



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