



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 26.11.2020

CORAM

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.(MD)No.5534 of 2015

N.Subbaiah

... Petitioner

Vs.

1.The Chairman,
Tamil Nadu Generation and Distribution Corporation Ltd.,
10th Floor, N.P.K.R.R.Maligai,
No.144, Anna Salai,
Chennai-2.

2.The Chief Engineer (Personnel),
Tamil Nadu Generation and Distribution Corporation Ltd.,
10th Floor, N.P.K.R.R. Maligai,
No.144, Anna Salai,
Chennai-2.

3.The Chief Engineer,
Tuticorin Thermal Power Station,
Tuticorin-4,
Tuticorin District.

4.The Principal Accountant General (A & E),
Teynampet,
Chennai-18.

...Respondents

Prayer: Writ petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, to direct the respondents 1 and 2 to count half of service rendered by the petitioner as a worker in the Tuticorin Thermal Power Station (TTPS) from 01.05.1987 to 26.10.1995 as qualifying service and sent the revised pension proposal to the fourth respondent as per the decision taken in the proceedings of the Secretary, TANGEDCO in (Per) EB TANGEDCO Proceedings No.31, dated 08.09.2011.

For Petitioner	: Mr.M.C.Swamy
For R1 & R2	: Mr.T.Sakthi Kumaran Standing Counsel.
For R3	: No appearance
For R4	: Mr.P.Gunasekaran

ORDER

The grievances of the petitioner are that the temporary services rendered by him was not taken into consideration for the purpose of calculating the qualifying services to grant of pension and other pensionary benefits.



2.The learned counsel appearing on behalf of the petitioner states that the half services of the petitioner in the temporary post is to be taken into account for the purpose of calculating the qualifying services with reference to Rule 11 of the Tamil Nadu Pension Rules, 1978.

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3.The Hon'ble Full Bench of the High Court of Madras settled the issues with reference to counting of 50 % of the services with reference to the Rule 11(4) of the Tamil Nadu Pension Rules in Writ Appeal No.158 of 2016 etc., batch, dated 03.12.2019.

4.In view of the Judgment of the Hon'ble Full Bench of this Court, the case of the petitioner is also to be considered with reference to his service records and accordingly, appropriate orders are to be passed as expeditiously as possible.

5.With these directions, the writ petition stands disposed of. No costs.

Sd/-

Assistant Registrar (P&A)

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Sub Assistant Registrar(CS)

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+1 CC to M/s.SPL GP (SR-23156[F] dated 27/11/2020)

+1 CC to M/s.G. RAJARAMAN, Advocate (SR-23062[F] dated 27/11/2020)

W.P.(MD)No.5534 of 2015
26.11.2020

SJ(CO)

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