

IN THE HIGH COURT OF JUDICATURE OF MADRAS

DATED: 15.04.2021

CORAM:

THE HONOURABLE MR. JUSTICE M.S. RAMESH

WP.No.17108 of 2010

K.Loganayaki

...Petitioner

Vs

State of Tamil Nadu rep, by its  
Secretary, Finance Department,  
Fort St. George,  
Chennai - 600 009.

...Respondent

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondent to extend the benefits as ordered in W.P.No.15066 of 2007, dated 24.07.2007 to the petitioner since she was terminated from service on 15.09.1997.

For Petitioner : Mr.A.R.Nixon

For Respondent : Mrs.Thanga Vadhana Balakrishna,  
Additional Government Pleader

O R D E R

By consent of both the parties, the present writ petition is taken up for final disposal.

2. By relying on a decision of this Court dated 24.07.2007 passed in W.P.No.15066 of 2007 in the case of G.Somasundaram and others Vs. State of Tamil Nadu, Finance Department and another, the learned counsel for the petitioner would submit that the petitioner herein is entitled for a similar fixation of pension for the retirees who have retired upto 31.12.1995 in accordance with their seniority.

3. The issue as to whether, the order of this Court passed in the case of G.Somasundaram and others (supra) would apply to the petitioner, is a decision to be taken by the respondent and this Court may not be justified in stepping into the shoes of the respondent and consider the same. However, if the petitioner is granted liberty to approach the respondent with an appropriate representation and a consequent direction to the

respondent to consider the same, the ends of justice could be secured.

4. In the light of the above observation, the petitioner is granted liberty to make a representation to the respondent ventilating her grievances and on receipt of the same, the respondent shall consider it on its own merits and take appropriate course of action in accordance with law, as expeditiously as possible, in any event within a period of 3 months from the date of receipt of receipt of the representation.

5. The writ petition stands disposed of accordingly. No costs.

Sd/-

Assistant Registrar(CS IX)

//True Copy//

Sub Assistant Registrar

hvk

To

The Secretary,  
State of Tamil Nadu,  
Finance Department,  
Fort St. George,  
Chennai - 600 009.

+1cc to Mr.A.R.Nixon, Advocate, sr no.22908

+1cc to The Government Pleader, sr no.23092

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JPL (CO)

RMP (30/04/2021)

सत्यमेव जयते

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