

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 15.03.2021

CORAM :

THE HONOURABLE MR.JUSTICE S.VAIDYANATHAN

W.P.No.6640 of 2021

1. V.Kanagaraj
 2. A.Ravi
 3. T.Rajasekaran
 4. M.Kasinadhan
 5. V.Ravichandran
- ... Petitioners

Vs.

1. The State of Tamil Nadu,
rep. by the Secretary,
Finance Department,
Fort St. George,
Chennai 600 009.
 2. The State of Tamil Nadu,
rep. by the Secretary,
Personnel and Administrative Reforms Department,
Fort St. George,
Chennai 600 009.
 3. The State of Tamil Nadu,
rep. by the Secretary,
Co-operative, Food and C.P. Department,
Fort St. George,
Chennai 600 009.
 4. The Managing Director,
Tamil Nadu Civil Supplies Department,
12, Thambusamy Street,
Kilpauk, Chennai 600 010.
- ... Respondents

Writ Petition filed under Article 226 of the Constitution of India, praying to issue a writ of Mandamus, directing the Respondents to raise the age of superannuation from 58 to 59 years for the Petitioners, who are working as seasonal employees in the 4th Respondent Corporation on par with the other regularized seasonal employees in the light of G.O.Ms.No.62 Personnel and Administrative Reforms (F.R.II) Department, dated 01.06.2020 by considering the Petitioners' representation dated 12.01.2021.

For Petitioners : Mr.K.Prabhakaran
For Respondents 1 & 2 : Mr.J.Pothiraj,
Special Government Pleader
For Respondents 3 & 4 : Mr.L.P.Shanmugasundaram,
Special Government Pleader

O R D E R

Petitioners, who are working as seasonal employees in the 4th Respondent Corporation, have come up with this Writ Petition seeking a direction to the Respondents to raise the age of their superannuation from 58 to 59 years on par with the other regularized seasonal employees, in the light of G.O.Ms.No.62, Personnel and Administrative Reforms (F.R.II) Department, dated 01.06.2020 by considering their representation dated 12.01.2021.

2. Heard the learned counsel on either side and perused the material documents available on record.

3. Considering the facts and circumstances of the case and taking note of the submissions of the learned counsel on either side, this Court directs the Respondents to consider the representation dated 12.01.2021 made by the Petitioners herein, after affording them an opportunity of hearing and pass appropriate orders on merits and in accordance with law within a period of sixty days from the date of receipt of a copy of this order.

4. Petitioners shall furnish their phone number, Email ID, if any, etc., along with a copy of their representation and a copy of this order to the Respondents, forthwith. Respondents are directed to communicate the decision taken on the representation, to the Petitioners within a period of three weeks from the date of decision taken thereon, by way of SMS/Email/Registered Post/Speed Post, so that there is no need for the parties to file a Contempt Petition after expiry of the specified period. In case, Authorities concerned fail to send communication to the parties, they will have to face civil imprisonment in case of contempt proceedings and, if they are unable to serve the order and the cover being returned unserved for one reason or the other, the same shall be kept in the file without opening it for the sake of proof of delivery, so that the parties, at a later point of time, will not take a plea that, they are not aware of the order of this Court.

With the above directions, the Writ Petition stands disposed of. No costs.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

AEB

To:

1. The Secretary,
State of Tamil Nadu, Finance Department,
Fort St. George,
Chennai 600 009.
2. The Secretary,
State of Tamil Nadu,
Personnel and Administrative Reforms Department,
Fort St. George,
Chennai 600 009.
3. The Secretary,
State of Tamil Nadu,
Co-operative, Food and C.P. Department,
Fort St. George,
Chennai 600 009.
4. The Managing Director,
Tamil Nadu Civil Supplies Department,
12, Thambusamy Street,
Kilpauk,
Chennai 600 010.

+1cc to Mr.R.Rajarajan, Advocate, S.R.No.16423
+1cc to the Government Pleader, S.R.No.16901 & 16697

W.P.No.6640 of 2021

PMK (CO)
TE (20/04/2021)