

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 11.01.2021
CORAM

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P.No.8293 of 2013
and M.P.No.1 of 2013

G.Shanmugasundarm

... Petitioner

Vs

1.Under Secretary to Govt.

Department of Personnel & Administrative
Reforms, Chief Secretariat, Puducherry.

2. Pondicherry Engineering College

Rep by the Principal, Puducherry

... Respondents

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, to direct the second respondent to grant pension to the petitioner with effect from 30.06.2009, the date of retirement considering the service of the petitioner from 09.05.1988 till 30.06.2009 with interest at the rate of 12% per annum from 30.06.2009 to till the date of payment.

For Petitioner : Mr.V.Ajayakumar

For Respondents : Mr.Stalin Abimanyu for R1
M/s.Mala for R2

ORDER

The prayer made in this writ petition is to direct the second respondent to grant pension to the petitioner from the date of retirement i.e., on 30.06.2009 by considering his entire services from 09.05.1988 till 30.06.2009, along with interest.

2.It is the case of the petitioner that he was an Ex-serviceman. He joined as Security Officer in the second respondent College on 09.05.1988 on consolidated pay basis and his service was regularised on 01.11.1999 and he retired from service on 30.06.2009 on reaching the age of superannuation. He was paid all the benefits, except pension for want of four months of minimum qualifying service. Hence, he made several representations, lastly on 06.02.2013, to the respondents requesting to consider his entire services from 09.05.1988 to 30.06.2009 and grant pension, which claim was not considered. Hence, this writ petition.

3. According to the learned counsel for the petitioner, the petitioner would be satisfied, if the representation dated 06.02.2013 submitted by him is directed to be considered by the respondents within a time frame to be stipulated by this Court.

4. There is no serious objection on the side of the respondents for granting such relief to the petitioner.

5. Considering the facts and circumstances of the case and also having regard to the submissions now made by the learned counsel on either side, this Court directs the respondents to consider the representation dated 06.02.2013 submitted by the petitioner, if not already considered and pass appropriate orders, on merits and in accordance with law, within a period of eight weeks from the date of receipt of a copy of this order.

6. Accordingly, the writ petition stands disposed of. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-
Assistant Registrar (CS)

//True Copy//

Sub Assistant Registrar

msv
To

1. Under Secretary to Govt.
Department of Personnel & Administrative
Reforms, Chief Secretariat, Puducherry.

2. The Principal,
Pondicherry Engineering College
Puducherry.

+1cc to Mr.V.Ajayakumar , Advocate SR.No. 1409

A.SK(23.03.2021)

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