

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04.01.2021

CORAM:

THE HONOURABLE MR.JUSTICE S.VAIDYANATHAN

W.P.No.20086 of 2020

Y.Gnanasekar @ Sekar

... Petitioner

-vs-

1.The Chief Engineer / Personnel,
Tamil Nadu Generation and Distribution Corporation Ltd.,
No.144, Anna Salai,
Chennai-2.

2.The Chief Engineer,
Tuticorin Thermal Power Station,
Tuticorin.

3.The Superintending Engineer (P&A),
Tuticorin Thermal Power Station,
Tuticorin.

... Respondents

PRAYER: Petition is filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the 1st respondent to direct the 3rd respondent to admit the petitioner in the old pension scheme taking note of his initial appointment by considering the appeal dated 29.12.2019, filed by the petitioner against the order of the 3rd respondent vide Memo No.018732/184/Ni.P.3(2)/Ko.Neethimandra Vazakkku/2019 dated 21.09.2019.

For Petitioner : Mr.S.N.Ravichandran

For Respondents : Mr.Karthik Rajan

O R D E R

The petitioner has come forward with this writ petition, seeking for a direction to the 1st respondent to direct the 3rd respondent to admit the petitioner in the old pension scheme taking note of his initial appointment by considering the appeal dated 29.01.2019, filed by the petitioner against the order of the 3rd respondent vide Memo No.018732/184/Ni.P.3(2)/Ko.Neethimandra Vazakkku/2019 dated 21.09.2019.

2. Mr.Karthik Rajan, learned Standing Counsel takes notice for the Respondents. By consent on either side, the Writ Petition is taken up for disposal at the time of admission stage itself.

3. Learned counsel for the petitioner submits that the petitioner, who was engaged as Contract labourer in Tuticorin Thermal Power Station, was subsequently employed as Helper and the 3rd respondent, by an order dated 11.02.2000, terminated the service of the petitioner. Aggrieved by the same, the petitioner filed W.P.No.13757 of 2000, which was allowed by this Court on 20.11.2001 and thereafter, he was placed under suspension on 05.01.2002. Learned counsel for the petitioner further submits that though the suspension of the petitioner was revoked on account of the order passed by this Court dated 25.04.2006, his request for placing him under Old Pension Scheme was rejected by the 3rd respondent on 21.09.2019, against which, the petitioner preferred an appeal to the 1st respondent on 29.12.2019 and though the said appeal was duly received by the 1st respondent, no action has been taken for disposal of the same. Hence, the petitioner is before this Court seeking for the above relief.

4. Learned Standing Counsel for the respondents has fairly submitted that the first respondent may be directed to dispose of the appeal filed by the petitioner by granting reasonable time limit.

5. Considering the limited prayer sought for by the petitioner, this Court, without expressing any opinion on the merits of the case, directs the first respondent to look into the appeal of the petitioner dated 29.12.2019 and dispose of the same in accordance with law in one way or the other, within a period of ninety days from the date of receipt of a copy of this order.

With the above direction, this writ petition is disposed of. No costs.

Sd/-
Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

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To:

- 1.The Chief Engineer / Personnel,
Tamil Nadu Generation and Distribution Corporation Ltd.,
No.144, Anna Salai,
Chennai-2.
- 2.The Chief Engineer,
Tuticorin Thermal Power Station,
Tuticorin.
- 3.The Superintending Engineer (P&A) ,
Tuticorin Thermal Power Station,
Tuticorin.

+lcc to Mr.Karthik Rajan, Advocate sr.242
+lcc to Mr.S.N.Ravichandran, Advocate Sr.10

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pvs[co]
srg 02/02/2021



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