



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 19.08.2021

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THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR

W.P(MD)No.14862 of 2021

Dr.B.Maria John

... Petitioner

Vs.

The Registrar,
Manonmaniam Sundaranar University,
Tirunelveli - 12.

... Respondent

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, to direct the respondent to consider the petitioner's proposals by including the service rendered by the petitioner as Research Associate/ Temporary Lecturer / Assistant Professor in the Institutions run by the Tamil Nadu Government and disburse the pension for entire service with arrears and interest by considering the petitioner's representations dated 30.06.2016 and 22.06.2018.

For Petitioner : Mr.Prabhu Rajadurai.G
For Respondent : Mr.Mohaboob Athiff,
Standing Counsel.

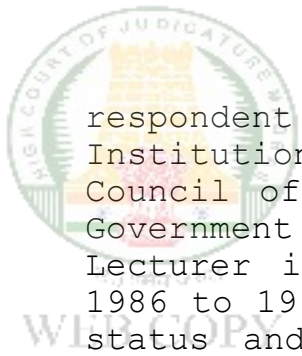
ORDER

This Writ Petition has been filed seeking for issuance of a Writ of Mandamus directing the respondent to consider the petitioner's proposal by including the service rendered by the petitioner as Research Associate / Temporary Lecturer / Assistant Professor in the Institutions run by the Tamil Nadu Government and disburse the pension for entire service with arrears and interest by considering the petitioner's representations dated 30.06.2016 and 22.06.2018.

2. Heard the learned counsel appearing for the petitioner and the learned Standing Counsel appearing for the respondent.

3. By consent of both the parties, this writ petition is taken up for final disposal at the admission stage itself.

4. According to the petitioner, the petitioner was joined as a Lecturer and he was served in various posts in the respondent University and after attaining the age of superannuation, he was retired from service on 30.06.2016. Prior to his joining in the



respondent University as Lecturer, he was served in other Institutions namely, as a Research Associate with Tamil Nadu Council of Historical Research, Madras and also joined in V.S.S., Government Arts College as Lecturer and Assistant Professor and as Lecturer in Government Arts College, Trichy in the year 1983 and 1986 to 1992. Though the said appointments were temporary but the status and scale of pay are of equivalent to Lecturer/Assistant Professor, as the said institutions being the Government Institutions, the petitioner was entitled to include those period for calculating a total period of service in order to determine his retirement benefits. In this regard, the petitioner made a representation on 30.06.2016 followed by several representations dated 22.06.2018, 28.01.2020 & 08.10.2020 to the respondent requesting to include his services and calculate his retirement benefits for the aforesaid period he was served in other Government Institutions also. However, no response was forthcoming by the respondent. Therefore, the petitioner has come forward before this Court with the present writ petition.

5.The learned Standing Counsel appearing for the respondent would submit that petitioner's representations would be considered and appropriate orders will be passed in accordance with law.

6.Considering the submissions made by the learned counsel on either side, and also considering the limited scope of prayer as sought by the petitioner, without expressing any opinion on merit, this Court directs the respondent to consider the petitioner's representations dated 30.06.2016, 22.06.2018, 28.01.2020 & 08.10.2020 on merits and pass an appropriate orders in accordance with law within a period of twelve weeks from the date of receipt of a copy of this order and the decision taken shall be communicated to the petitioner.

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

Sd/-

Assistant Registrar (W)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

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Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.



W.P(MD)No.14862 of 2021

TO

The Registrar,
Manonmaniam Sundaranar University,
Tirunelveli -12.

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