



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.06.2022

CORAM

THE HON'BLE MR. JUSTICE P.D. AUDIKESAVALU

W.P. No. 28287 of 2017
and
W.M.P. No. 30405 of 2017

Tamil Nadu Retired Public Works Department Employees Association
(Register No. 440/2012),
Represented by its General Secretary,
No. 3/454, Veerama Munivar Salai,
Mugappair East,
Chennai - 600 037. ... Petitioner

-vs-

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

2. The Principal Secretary to Government,
Public Works Department,
State of Tamil Nadu,
Fort St. George,
Chennai - 600 009.

3. The Chief Engineer (General),
Public Works Department,
Chepauk, Chennai - 600 005.

... Respondents

Prayer:- Writ Petition filed under Article 226 of the Constitution of India, 1950, praying to issue a Writ of Mandamus, directing the Respondents to compute the entire temporary service of the members of the Petitioner Association for the purpose of counting qualifying service for the purpose of pension as per order of this Court in W.P. No. 29285 of 2017 dated 19.02.2009.

For Petitioner : Mr. S.Parameshwari
for Mr. M.Muthappan

For Respondents: Mr. P.Balathandayutham,
Special Government Pleader



O R D E R

Heard Mr. S.Parameshwari, Learned Counsel appearing for the Petitioner and Mr. P.Balathandayutham, Learned Special Government Pleader appearing for the Respondents and perused the materials placed on record, apart from the pleadings of the parties.

2. When it is pointed out that the Petitioner, which is an Association, cannot file a Writ Petition seeking relief espousing the cause of its individual members and does not affect any legal right of that Association as held by the Hon'ble Supreme Court of India in Mahinder Kumar Gupta -vs- Union of India [(1995) 1 SCC 85], Learned Counsel appearing for the Petitioner seeks permission of this Court to withdraw the Writ Petition reserving the right of the individual members of the Petitioner Association to work out their remedy before appropriate forum in the manner recognized by law and she made an endorsement to that effect in the court record.

3. In fine, this Writ Petition is dismissed as withdrawn with such clarification. Consequently, the connected Miscellaneous Petition is closed. No costs.

Sd/-
Assistant Registrar(CO)

//True copy//

Sub Assistant Registrar

vjt

To

1. The Principal Secretary to Government,
Finance Department,
State of Tamil Nadu,
Fort St. George,
Chennai - 600 009.
2. The Principal Secretary to Government,
Public Works Department,
State of Tamil Nadu,
Fort St. George,
Chennai - 600 009.



3. The Chief Engineer (General),
Public Works Department,
Chepauk, Chennai - 600 005.

+1cc to Mr.M.Muthappan, Advocate SR.No.40781

+1cc to Government Pleader SR.No.40369

W.P. No. 28287 of 2017

KV(CO)
GMY(08/07/2022)