



W.P.(MD)Nos.7177 and 7242 of 2020

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:15.12.2022

CORAM:

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.(MD)Nos.7177 and 7242 of 2020

W.P(MD)No.7177 of 2020:

S.Kamarajan

... Petitioner

Vs.

1.The Registrar,
Madurai Kamarajar University,
Palkalai Nagar,
Madurai – 625 021.

2.The Deputy Director of Local Fund Audit,
Madurai Kamarajar University,
Palakalai Nagar,
Madurai – 625 021.

... Respondents

Prayer:Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus to direct the respondents to count half of the service rendered by the petitioner as casual labourer on daily wage basis from 10.10.1988 to 19.11.2007 along with the regular service rendered by him as Clerk, Assistant and Superintendent from 20.11.2007 till the date of retirement on 31.07.2016 as qualifying service and grant



W.P.(MD)Nos.7177 and 7242 of 2020

pension under old pension scheme to the petitioner with all consequential monetary benefits.

W.P(MD)No.7242 of 2020:

V.K.Gopal

... Petitioner

Vs.

1.The Registrar,
Madurai Kamarajar University,
Palkalai Nagar,
Madurai – 625 021.

2.The Deputy Director of Local Fund Audit,
Madurai Kamarajar University,
Palakalai Nagar,
Madurai – 625 021.

... Respondents

Prayer:Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus to direct the respondents to count half of the service rendered by the petitioner as Field Assistant on consolidated pay basis from 15.04.1991 to 14.11.2005 along with the regular service rendered by him as Clerk, Assistant and Superintendent from 14.11.2005 till the date of retirement on 30.06.2019 as qualifying service and grant pension under old pension scheme to the petitioner with all consequential monetary benefits.

(In Both W.Ps)

For Petitioner

: Mr.S.Satheesh Kumar

For Respondents

: Mr.T.Sakthikumaran



W.P.(MD)Nos.7177 and 7242 of 2020

COMMON ORDER

WEB COPY

Since the issue arises in the writ petitions is one and the same, the writ petitions are disposed of by way of this common order.

2. These writ petitions have been filed for a direction to the respondents to count half of the service rendered by the petitioners on consolidated pay/daily wages, as qualifying service and grant pension under old pension scheme to the petitioners with all consequential monetary benefits.

3. The case of the petitioners is that they were initially appointed in the respondent University on consolidated pay/daily wages and thereafter, they were made permanent employees and retired from service. However, they were not conferred with pensionary benefits. Hence, they have made representations before the respondents. Since the same was not considered till date, the petitioners have filed these writ petitions with the aforesaid period.



W.P.(MD)Nos.7177 and 7242 of 2020

WEB COPY

4. The learned counsel appearing for the petitioners would submit that it would suffice, if the first respondent is directed to dispose of the representation of the petitioners, dated 24.01.2020 and 27.01.2020 respectively, on merits and in accordance with law, within a specified period.

5. The learned standing counsel appearing for the respondents, has no serious objection for such an order being passed by this Court.

6. Considering the limited request made by the learned counsel for the petitioners, this Court, without going into the merits of the matter, directs the first respondent to consider the petitioners' representation, dated 24.01.2020 and 27.01.2020 respectively and pass appropriate orders, on merits and in accordance with law, within a period of twelve weeks from the date of receipt of a copy of this order.



W.P.(MD)Nos.7177 and 7242 of 2020

7. With the above direction, these Writ Petitions are disposed of.

WEB COPY

No costs.

15.12.2022

pm

Index: Yes/No



WEB COPY



W.P.(MD)Nos.7177 and 7242 of 2020

M.DHANDAPANI,J.

pm

W.P.(MD)Nos.7177 and 7242 of 2020

15.12.2022