



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 25.04.2022

CORAM

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P. (MD) No.7871 of 2022

J.Jose Mercy Nesan

... Petitioner

Vs

1. The Chairman

Tamil Nadu Generation & Distribution Limited,
Tamil Nadu Electricity Board,
No.144, Anna Salai, NPKRR Maligai
Chennai - 2.

2. The Chief Engineer Personal,

Tamil Nadu Generation & Distribution Limited,
Tamil Nadu Electricity Board,
No.144, Anna Salai,
Chennai - 2.

3.The Superintending Engineer,

Purchase and Administration,
Tuticorin Thermal Power Station,
Tuticorin-4.

...Respondents

Prayer:-Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Mandamus, directing the respondents to count 50% of contract labour service rendered by the petitioner with the respondents Department from 20.11.1992 to 30.04.1999 for calculation of pensionable service.

For Petitioner : Mr.M.Saravanakumar

For Respondents : Mr.S.Arivalagan

Standing Counsel

O R D E R

The relief sought for in the present Writ Petition is to direct the respondents to count 50% of contract labour service rendered by the petitioner in the respondents Department from 20.11.1992 to 30.04.1999 for calculation of pensionable service.



2. In respect of counting 50% of services, with reference to Rule 11(4) of the Tamil Nadu Pension Rules, which is adopted by TANGEDCO, the Hon'ble Full Bench of this Court settled the principles in the case of **the Government Of Tamil Nadu vs R. Kaliyamoorthy** reported in **2019 6 CTC 705**. Thus, the case of the writ petitioner is also to be considered based on the judgment cited supra. The respondents are directed to verify the service particulars of the petitioner, find out the eligibility and accordingly, take a decision and pass appropriate orders as expeditiously as possible.

3. Accordingly, the Writ Petition stands disposed of. No costs.

Sd/-

Assistant Registrar(CS-II)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

To

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Tamil Nadu Generation & Distribution Limited,
Tamil Nadu Electricity Board,
No.144, Anna Salai, NPKRR Maligai
Chennai - 2.

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Tuticorin-4.

+1 CC to M/s.M.SARAVANA KUMAR, Advocate (SR-20851[F] dated
25/04/2022)

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NA (CO)

KB(17.05.2022) 2P 5C