



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 15.03.2022

CORAM

WEB COPY

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P. (MD) No.12584 of 2021

J.Ganaraj Muthiah

... Petitioner

Vs

1. The Chairman

Tamil Nadu Electricity Board,
No.800 Anna Salai,
Chennai - 2.

2. The Superintending Engineer,

Tamilnadu Electricity Production and Distribution,
Railway Peder Road,
Virudhunagar,
Virudhunagar District.

3. The Accountant General

Office of the Accountant General,
Teynampet,
Chennai - 18.

... Respondents

Prayer:- Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Certiorarified Mandamus, call for records from 2nd respondent proceeding dated 11.02.2021 Ka.No 9706/Nee.Pee-2/Asst-3/Koo.PPO No. 72809/2021 and quash the same and consequently issue direction direct the respondents to count 50% service period from 16.08.1969 to 07.08.1973 along with his regular service and disburse all pension benefits and other benefits based on petitioner representation dated 10.06.2021.

For Petitioner

: Mr.J.Gunaseelanmuthuiah

For Respondents

: Mr.S.Arivalagan

for RR1 and R2

Mrs.S.Maha Lakshmi for R3

O R D E R

The relief sought for in the present Writ Petition is to direct the respondents to count 50% of the temporary services rendered by the petitioner in the respondent Board.



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 (Writs)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

To

1. The Chairman
Tamil Nadu Electricity Board,
No.800 Anna Salai,
Chennai - 2.
2. The Superintending Engineer,
Tamilnadu Electricity Production and Distribution,
Railway Peder Road,
Virudhunagar,
Virudhunagar District.
3. The Accountant General
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+1 CC to M/s.J.GUNASEELAN MUTHIAH, Advocate (SR-12300[F] dated 15/03/2022)

W.P. (MD) No.12584 of 2021
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RS (24.03.2022) 2P-5C