



WP(MD)No.19983 of 2022

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **26.08.2022**

CORAM:

THE HONOURABLE **MR.JUSTICE M.S.RAMESH**

W.P.(MD)No.19983 of 2022

S.Maria Xavier

... Petitioner

/vs./

1.The State of Tamil Nadu,
Represented by its Secretary,
Public Works Department,
St.George Fort, Chennai-600 009.

2.The Chief Engineer,
Public Works Department,
Water Resource Department,
Chepauk, Chennai-600 005.

3.The Assistant Executive Engineer,
Public Works Department,
Water Resource Department,
Kodayar Basin Sub Division,
Thuckalay, Kanyakumari District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, to direct the respondents herein to calculate the 50 percent of temporary service of the petitioner's period from 01.06.1993 to 31.03.2004 as the qualifying service along with the regular service period from



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01.04.2004 to 31.05.2015 and grant pension to the petitioner with all consequential monetary benefits within a time stipulated by this court.

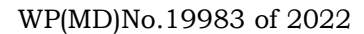
For Petitioner : Mr.C.Kishore
For Respondents : Mr.A.Sivanupandian
Government Advocate

ORDER

By consent of both the parties, this Writ Petition is taken up for final disposal.

2. The petitioner herein had given a representation to the respondents on 18.07.2022 seeking to calculate the 50 percent of his temporary service period from 01.06.1993 to 31.03.2004 as the qualifying service along with the regular service period from 01.04.2004 to 31.05.2015 and grant pension to him with all consequential monetary benefits. Since the said representation was not considered, the present Writ Petition has been filed.

3. It is needless to point out that whenever a representation of this nature is made to a Statutory Authority, there is a duty cast upon the respondents to consider the same on its own merits and pass appropriate orders in one way or



4. In the light of the above observations, there shall be a direction to the respondents herein to consider the petitioner's representation dated 18.07.2022 on its own merits and pass appropriate orders in accordance with law, within a period of three (3) months from the date of receipt of a copy of this order. It is made clear that this Court has not expressed any of its views with regard to the merits of the claim of the petitioner and that it is open to the concerned respondent to consider the same on its own merits.

5. With the above direction, the Writ Petition stands disposed of. There shall be no order as to costs.

26.08.2022



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Index : Yes / No

Internet : Yes / No

btr/sm

To

- 1.The Secretary,
The State of Tamil Nadu,
Public Works Department,
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M.S.RAMESH, J.

btr/sm

Order made in
W.P.(MD)No.19983 of 2022

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