



Writ Petition No.2715 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

WEB COPY

DATED :03.02.2023

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Writ Petition No.2715 of 2023

- 1.J.Balaji
S/o.M.Jegadeesan
- 2.R.Govindharajan
S/o.Ramu
- 3.G.Kannan
S/o.Gopal
- 4.S.Immanuvel
S/o.Santhanam
- 5.M.Elangovan
S/o.Mani
- 6.N.Subramanian
S/o.Nagan
- 7.R.Ganesan
S/o.Ramar
- 8.N.Sethuraman
S/o.Neelamegam
- 9.A.Jothi Lakshmi
D/o.Alagarsamy
- 10.P.Rajesh



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S/o.Pandian

11.D.Rajapandi

S/o.Durairaj

12.A.Ibrahim Ali

S/o.Ameer Sulthan

13.D.Veerakumar

S/o.Durairaj

14.S.Murugesan

S/o.Sethu

15.M.Muniyandi

S/o.Muniasamy

16.S.Manjan

S/o.Sevugan

...Petitioners

Vs

1.The Additional Chief Secretary

to Government,

Municipal Administration and Water

Supply Department,

Fort St.George, Chennai - 600 009.

2.The Director,

Commissionerate of Town Panchayats,

Urban Administrative Building,

75, Santhome High Road,

Raja Annamalai Puram,

Chennai - 600 028.

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India,



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to issue a writ of Mandamus, directing the respondents to consider and pass orders on the petitioners' representation dated 18.10.2022 to include the petitioners in the General Provident Fund and issue General Provident Fund Number with all service and monetary benefits, more particularly, within the time frame as may be stipulated by this Court.

For Petitioners : Mr.B.Sivaraman
for Mr.J.Pooventherarajan

For Respondents : Mr.D.Ravichander
Special Government Pleader

ORDER

This writ petition has been filed for issuance of a writ of mandamus directing the respondents to consider the representation made by the petitioners on 18.10.2022 wherein the petitioners have sought for payment of pension as per the Tamil Nadu Pension Rules, 1978, relying upon the Full Bench judgment of this Court in ***Government of Tamil Nadu v. R.Kaliyamoorthy [2019 (6) CTC 705]***.

2. The case of the petitioners is that they were sponsored by the



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Employment Exchange and they were appointed in various Town Panchayats. The petitioners were in service since the year 2000 onwards and they were also regularized in the year 2004. The further case of the petitioners is that they have the qualified service for the purpose of pension and they made the representation in this regard to the respondents seeking entitlement for pension as per the Tamil Nadu Pension Rules. Since the representation was not acted upon, the present writ petition has been filed.

3. Heard Mr.B.Sivaraman, learned counsel for petitioners and Mr.D.Ravichander, learned Special Government Pleader, appearing for respondents.

4. Learned counsel for petitioners submitted that the petitioners, in this case, will fall under paragraph 45(ii) of the Full Bench judgment referred supra. Therefore, the petitioners are claiming their legal right based on the same.

5. Taking into the consideration the limited relief sought for in this



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writ petition and without going into the merits of the case, there shall be a direction to the second respondent to consider the representation made by the petitioners on 18.10.2022 and deal with the same on its own merits and in accordance with law and take a decision within a period of twelve (12) weeks from the date of receipt of a copy of this order. The petitioners are directed to make a fresh representation along with all relevant documents and also a copy of this order. A copy of the representation shall also be sent to the first respondent.

This Writ Petition is disposed of with the above direction. No costs.

03.02.2023

Index : Yes/No
Speaking order: Yes/No
Neutral citation: Yes/No
gm

N.ANAND VENKATESH, J



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gm

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