



WEB COPY

W.P.No.11739 of 2021



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27.11.2023

CORAM:

THE HONOURABLE MS.JUSTICE R.N.MANJULA

W.P.No.11739 of 2021
& W.M.P.Nos.12498, 13334 & 13336 of 2021

M.Pulavendran,
S/o.Manickkam,
Soap Unit Worker,
Tamilnadu Kadhi and Village,
Industries Board,
Samayapuram.

...

Petitioner

versus

1.The State of Tamil Nadu.,
Rep. by its Chief Secretary to Government,
Personnel and Administrative Reform(s) Department,
Secretariat, Chennai - 600 009.

2.The State of Tamilnadu,
Rep. by its Principal Secretary,
Handlooms, Handicrafts, Textiles and Khadi Department,
Secretariat, Chennai - 600 009.

3.The Tamil Nadu Khadi & Village Industries Board,
Rep. by its Chief Executive Officer,
Kuralagam, Chennai - 600 001.

4.The Assistant Director (KVI),
Khadi and Village Industries,
Trichy.

...

Respondents



Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Certiorarified Mandamus, calling for the records relating to impugned order in Na.Ka.No.437/2021/V1 dated 31.05.2021 of the 3rd respondent and quash the same with consequential direction.
[prayer amended as per order dated 22.11.2023 in W.M.P.No.13333 of 2021 in W.P.No.11739 of 2021]

For Petitioner : M/s.K.Jenitha
For Respondent Nos.1 & 2 : Mr.P.Sanjai Gandhi
Government Advocate
For Respondent Nos.3 & 4 : Mr.S.K.Bose

ORDER

The petitioner has filed this petition seeking for a writ of Certiorarified Mandamus, calling for the records relating to the impugned order in Na.Ka.No.437/2021/V1 dated 31.05.2021 of the 3rd respondent and quash the same with consequential direction.

2. Heard M/s.K.Jenitha, learned counsel for the petitioner, Mr.P.Sanjai Gandhi, learned Government Advocate for the respondents 1 and 2, Mr.S.K.Bose, learned counsel for the respondents 3 and 4 and perused the materials available on record.



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3. The petitioner joined as a soap unit worker in the year 1988 on temporary basis and thereafter, he was given with permanent status in terms of Tamilnadu Industrial Establishment (Conferment of Permanent Status to Workmen) Act, 1981 with effect from 13.10.1991 as per the proceedings of the Deputy Chief Inspector of Factories, Chennai dated 29.12.1997. Now, the petitioner is working as a permanent worker in Tamilnadu Kadhi and Village Industries Board, Samayapuram. While so, the Government Orders were passed in G.O.(Ms).No.51, Personnel and Administrative Reforms(s) Department, dated 07.05.2020 and G.O.(Ms).No.29, Personnel and Administrative Reforms(s) Department, dated 25.02.2021, to increase the age limit for retirement of the employees from 58 to 60 years. The grievance of the petitioner is that as per the above Government Orders, he is entitled to continue his service upto the age of 60 years. Hence, he made representation to the respondents on 03.03.2021 and the same was not considered by them so far.

4. M/s.K.Jenitha, learned counsel for the petitioner submitted that similarly placed persons, who were employees of the Tamilnadu Industries



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Board, have already filed Writ Petitions in W.P.No.14186 of 2020 and W.P.Nos.11222, 11225, 11229 & 14269 of 2021 challenging the Government Orders passed in G.O.(Ms).No.51 dated 07.05.2020 and G.O.(Ms).No.29 dated 25.02.2021 and this Court by an order dated 14.09.2022 had disposed the same. Since the petitioner is also similarly placed and also covered under the G.O.(Ms).No.51 dated 07.05.2020 and G.O.(Ms).No.29, the very same benefit is applicable to the petitioner also.

5. Mr.P.Sanjai Gandhi, learned Government Advocate for the respondents 1 and 2 submitted that, if the petitioner gives a fresh representation that would be convenient for the respondents to pass appropriate orders.

6. In view of the above, this Writ Petition is **disposed** and the petitioner is at liberty to submit a fresh representation along with relevant materials to the respondents 2 and 3, within a period of two weeks from the date of receipt of a copy of this order. On receipt of the same, the respondents 2 and 3 are directed to pass appropriate orders in the light of the order passed by this Court in W.P.No.14186 of 2020 and W.P.Nos.11222,



11225, 11229 & 14269 of 2021 dated 14.09.2022, within a period of four

(4) weeks thereafter. No costs. Consequently, connected Miscellaneous

Petitions are closed.

27.11.2023

Speaking order / Non-speaking order

Index : Yes / No

Neutral Citation : Yes / No

sri

To

- 1.The State of Tamil Nadu.,
Rep. by its Chief Secretary to Government,
Personnel and Administrative Reform(s) Department,
Secretariat, Chennai - 600 009.
- 2.The State of Tamilnadu,
Rep. by its Principal Secretary,
Handlooms, Handicrafts, Textiles and Khadi Department,
Secretariat, Chennai - 600 009.
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R.N.MANJULA, J.

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