



WEB COPY



WP.Nos.22665, 22666, 22668 & 22669 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.08.2023

CORAM

THE HONOURABLE MR. JUSTICE N.SATHISH KUMAR

WP.Nos.22665, 22666, 22668 & 22669 of 2023

R.Saravanan	.. Petitioner in W.P.No.22665 of 2023
T.Suresh	.. Petitioner in W.P.No.22666 of 2023
P.Lakshmanan	.. Petitioner in W.P.No.22668 of 2023
A.Lord Wellington	.. Petitioner in W.P.No.22669 of 2023

Versus

1.The State of Tamil Nadu
Represented by its Principal Secretary
Home Department
Secretariat, Chennai – 600 009

2.The Chairman
Tamil Nadu Uniformed Services Recruitment Board
Old COP Office Campus, Pantheon Road
Egmore, Chennai – 600 008

3.The Director
Fire and Rescue Department
No.17, Rukmini Lakshmipathy Salai
Egmore, Chennai – 600 008

.. Respondents in all cases

Common Prayer: Writ Petitions are filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondents to



WP.Nos.22665, 22666, 22668 & 22669 of 2023

dispose of the representations of the petitioners dated 18.03.2023 by fixing the seniority of the petitioners from 2002 on par with the similarly placed persons and consequently include the petitioners in the General Pension Scheme.

All cases

For Petitioners : M/s.J.Vanathi

For Respondents : Mr.V.Jeevagiridharan
Additional Government Pleader

COMMON ORDER

These writ petitions have been filed seeking to direct the respondents to dispose of the representations of the petitioners dated 18.03.2023 by fixing the seniority of the petitioners from 2002 on par with the similarly placed persons and consequently include the petitioners in the General Pension Scheme.

2. Since, the facts and circumstances of these cases are identical in nature, these cases are disposed of by way of this Common Order.

3. It is the case of the writ petitioners that they were selected and appointed as Fireman on 01.04.2004 by the Divisional Officer, Fire and Rescue Department, South Madras in the third respondent Department. It is



WP.Nos.22665, 22666, 22668 & 22669 of 2023

their grievance that the recruitment year was of the year 1999-2000, however, they were given appointment only in the year 2004 and they were not provided with seniority and benefits of the General Pension Scheme. While so, one Mr. Shanmuga Raja, a similarly placed person, who was selected in the year 1999-2000 along with the petitioners was not appointed prior to 01.04.2003 citing criminal case pending against him. However, he was subsequently acquitted and his appointment was made during the year 2007 and he given seniority from 2002 and is included in the General Pension Scheme by the second respondent vide proceedings in Na.Ka.No.2513A/2020 dated 26.09.2020. Likewise, Mr. K. Panneerselvam, who is also a similarly situated person is granted with benefits under General Provident Fund Scheme. Therefore, they gave representations to the respondents on 18.03.2023 seeking such benefits, which are pending without consideration till date. Hence, these writ petitions.

4. Head both sides and perused the materials placed on record. On perusal of the very typedset itself, it would indicate that similarly situated persons selected in the Recruitment year 1999-2000 are granted with Seniority as well as General Provident Fund Scheme.



WP.Nos.22665, 22666, 22668 & 22669 of 2023

5. Such view of the matter, this Court, without going into the merits of the case, directs the respondents to consider the representations of the petitioners dated 18.03.2023 and pass appropriate orders on merits and in accordance with law within a period of two months from the date of receipt of a copy of this Order.

6. With these directions, these writ petitions stands stands disposed of.
No costs.

01.08.2023

dhk
Index: Yes/No
Internet: Yes/No
Neutral Citation: Yes/No



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To

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WP.Nos.22665, 22666, 22668 & 22669 of 2023

N.SATHISH KUMAR, J.

dhk

WP.Nos.22665, 22666,
22668 & 22669 of 2023

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