



W.P.No.5260 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03.01.2024

CORAM:

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

W.P.No.5260 of 2022

K.Helan Balasundry

...Petitioner

-Vs-

1. The State of Tamil Nadu rep. by
The Secretary to Government,
Transport Department,
Fort St. George,
Chennai – 600 009.

2. The Member Secretary,
The Tamil Nadu Text Book and
Educational Services Corporation,
E.V.K.Sampath Maaligai,
No.68, College Road,
Nungambakkam,
Chennai – 600 006.

3. The Accountant General,
Tamil Nadu,
Chennai – 600 018.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondents to consider the representation dated 18.12.2015 within a short date that may be fixed by this Court.



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For Petitioner : Mr.D.Daniel

For Respondents : Dr.T.Seenivasan
Special Government Pleader

ORDER

The writ petition has been filed to direct the respondents to consider the representation of the petitioner dated 18.12.2015, within a short date that may be fixed by this Court.

2. The petitioner was formerly worked as Under Secretary to Government, Transport Department, Secretariat, Chennai. She retired from service on 31.10.2008. Prior to her service in the Tamil Nadu Secretariat, from 10.09.1981 to 31.10.2008, she served as Junior Assistant under the second respondent from 10.10.1979 to 09.09.1981, from where she was formerly relieved and joined Tamil Nadu Secretariat Service on 10.09.1981. Though she was regularized with effect from 10.10.1979, the said service was not included by the Accountant General, Tamil Nadu for the purpose of calculating her service as qualifying service. Hence, she made representation and the same was not yet considered.



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3. Heard the learned counsel appearing on either side and perused the materials placed before this Court.

4. On perusal of the communication dated 12.03.2019, the Deputy Secretary to Government viz., the first respondent herein requested the second respondent to intimate to Government, the pension liability to the petitioner for the period from 10.10.1979 to 09.09.1981, with her service book. However, so far, no response from the second respondent.

5. Considering the above facts and circumstances, the second respondent is directed to furnish the details of the petitioner for her service from 10.10.1979 to 09.09.1981 along with her service register within a period of twelve weeks from the date of receipt of a copy of this Order. On receipt of the same, the first respondent is directed to consider the same and pass appropriate orders to include the said period of service for calculating the petitioner's pension, within a period of eight weeks thereafter.



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03.01.2024

Internet: Yes

Index : Yes/No

Speaking/Non Speaking order

rts



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G.K.ILANTHIRAIYAN. J,

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