



WEB COPY



W.P.No.31623 of 2013

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.03.2024

CORAM:

THE HONOURABLE MR. JUSTICE J.SATHYA NARAYANA PRASAD

W.P.No.31623 of 2013

and

M.P.No.1 of 2013

M.C.Ponnusamy
Retired Deputy Manager (Dairying),
Old 14/ New no.12,
West Canal Bank Road,
Kottur, Chennai – 600 085.

...Petitioner

-Vs-

1.The Government of Tamil Nadu,
Rep. by its Secretary to Government,
Animal Husbandry and Fisheries (MP-2) Department,
Fort St. George, Chennai – 600 009.

2.The Commissioner for Milk Production and
Dairy Development
Madhavaram Milk Colony,
Chennai – 600 051.

3.The Director of Animal Husbandry,
Directorate of Animal Husbandry,
Anna Salai, Teynampet,
Chennai – 600 006.

4.The Managing Director,
Tamil Nadu Co-operative Milk Producers,
Federation Limited,
Aavin Illam, Milk Colony,
Chennai – 600 051.

...Respondents



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Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying for the issuance of a direction in the nature of Writ of Certiorarified Mandamus, to call for the records of the 1st respondent in letter No.2159/MP.II/2010 dated 15.06.2011 and quash the same and direct the respondents to grant pension payable to the petitioner taking into account his period of service as Government servant for the period of 38 years from 1964 till his retirement on 30.11.2002 and also pay all terminal benefits due to the petitioner together with arrears of pension from the date of his retirement along with interest.

For Petitioner : M/s.T.Hemalatha

For Respondents : Mr.T.M.Rajangam
Government Advocate

ORDER

This writ petition is filed for issuance of a Writ of Certiorarified Mandamus to quash the order passed by the 1st respondent vide letter No.2159/MP.II/2010 dated 15.06.2011 and direct the respondents to grant pension payable to the petitioner taking into account his period of service as Government servant for the period of 38 years from 1964 till his retirement on 30.11.2002 and also pay all terminal benefits due to the petitioner together with arrears of pension from the date of his retirement along with interest.

2. Learned counsel for the petitioner submitted that there is a similar matter in which an order was passed by this Court in W.P.Nos.21522,



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28539, 10832 and 16294 of 2011 and the same impugned order vide letter No.2159/MP.II/2010 dated 15.06.2011 passed by the 1st respondent was challenged, which was dismissed by this Court on 17.09.2014 and the relevant portion of the order is extracted hereunder for better appreciation and understanding:

“Since the petitioners withheld the basic requisite materials which action, in other words, may be called 'suppression of materials' and equally, they are also guilty of laches in sleeping over the matter for about two decades, this Court is at a loss to appreciate the various points raised and canvassed on their behalf. ”

3. A counter affidavit was filed on behalf of the 2nd respondent dated 30.12.2017.

4. Heard both sides and perused the materials available on record.

5. In the light of the aforesaid judgment passed by this Court in W.P.Nos.21522, 28539, 10832 and 16294 of 2011 dated 17.09.2014, this

J.SATHYA NARAYANA PRASAD, J.



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writ petition stands dismissed. No costs. Consequently, connected miscellaneous petition is closed.

21.03.2024

cda

Index : Yes/No

Speaking/Non Speaking order

To

- 1.The Secretary to Government,
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