



WEB COPY

W.P.No.33126 of 2013



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.02.2024

CORAM

THE HONOURABLE MR.JUSTICE **D. BHARATHA CHAKRAVARTHY**

W.P.No.33126 of 2013
and M.P.No.1 of 2013

K. Sambandam

... Petitioner

-Vs-

1. The Secretary to Govt.of Tamil Nadu
Public Works Department,
Fort St.George, Chennai 9

2. The Engineer-in-Chief,
Chief Engineer (B), Chennai Region &
Chief Engineer (General)
Public Works Department
Chepauk, Chennai 5

3. The Executive Engineer
Public Works Department
Building Construction & Maintenance Division
Tirunelveli 627 002.

4. The Accountant General
O/o.Principal Accountant General (A&E)
Tamil Nadu
Teynampet, Chennai 600 018.

... Respondents

Prayer :- Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Certiorarified Mandamus calling for the concerned records of the respondents in connection with the impugned order passed by the 2nd respondent in Letter No.S1(2)37626/2012 dated 10.10.2013



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and quash the same and further direct the respondents to sanction Pension to the petitioner by taking into consideration the period of service rendered by him as Supervisor and grant him all consequential service and monetary benefits and grant such other further relief.

For Petitioner : Mr.Vignesh Raj
for Mr.M.Muthappan

For Respondents : Mr.A.Anandan
Government Advocate for R1 to R3
Mrs.Hema Muralikrishnan for R4

ORDER

This writ petition has been filed to call for the concerned records of the respondents in connection with the impugned order passed by the 2nd respondent in Letter No.S1(2)37626/2012 dated 10.10.2013 and quash the same and further direct the respondents to sanction Pension to the petitioner by taking into consideration the period of service rendered by him as Supervisor and grant him all consequential service and monetary benefits and for other reliefs.

2. The case of the petitioner is that he joined service in the respondent department on 15.03.1965. From 01.05.1976 onwards he went on leave due to personal reasons and could not rejoin duty till his superannuation



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on 31.12.1996. After attaining the age of superannuation in the year 1996, the petitioner made a representation on 16.12.2010 that is 14 years after his attaining the age of superannuation and filed W.P. No.10026 of 2012 in which by an order dated 06.08.2013 this Court directed the respondents to consider the representation. In compliance of the said order the impugned order was passed. Challenging the said order the present writ petition is filed.

3. Admittedly, the petitioner has not reported for work from 01.05.1976. By way of an after thought at the age of 73 he made a representation and when the said representation was rejected the writ petition is filed. On the conspectus of the facts of this case, this Court need not answer the grounds raised by the writ petitioner and this is not a case at all for exercise of jurisdiction under Article 226 of the Constitution of India. The writ petition is without any merits and accordingly dismissed. No costs. Consequently, connected miscellaneous petition is also closed.

27.02.2024

Index : Yes/No
Speaking order/Non-speaking order
dpq



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D. BHARATHA CHAKRAVARTHY, J.

dpq

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