



WEB COPY



W.P.No.20579 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.07.2024

CORAM:

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

W.P.No.20579 of 2024
and W.M.P.No.22523 of 2024

Murugan

... Petitioner

-Vs-

1. The Managing Director,
Tamil Nadu State Marketing Corporation Limited,
4th Floor, CMDA Tower-II, Building,
Egmore,
Chennai – 600 008.

2. The Senior Grade Divisional Manager,
Tamil Nadu State Marketing Corporation Limited,
Fairlands,
Salem – 636 016.

3. The Salem District Manager/Sub Collector,
Tamil Nadu State Marketing Corporation Limited,
Salem District.

... Respondents

Prayer : Writ Petition filed under Article 226 of Constitution of India praying for the issuance of a Writ of Certiorarified Mandamus, calling for the records relating to the proceedings in Na.Ka.262/2024/A-4/Cv dated 13.05.2024 on the file of the third respondent herein and quash the same and direct the respondents 1 to 3 herein to extend the date of superannuation of the petitioner herein from 58 years to 60 years of age



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(i.e, 31st May 2026) as per the G.O.(Ms)No.29, Personnel and Administrative Reforms (S) Department, dated 25.02.2021 and confer all benefits till 31.05.2026.

For Petitioner : Mr.M.Senthilkumar
For Respondents : Mr.M.Sekar
Standing Counsel (TASMAC)

ORDER

This Writ Petition has been filed challenging the order dated 13.05.2024, thereby relieved the petitioner from service on attainment of superannuation.

2. Heard the learned counsel on either side and perused the materials available on record.

3. The petitioner was appointed as Assistant Salesman in the respondent Corporation, on 04.02.2004, on temporary basis and also on consolidated salary. After attaining the age of 58, he was relieved from service by an order dated 13.05.2024.

4. The learned counsel for the petitioner submitted that the Government of Tamil Nadu passed an order in G.O.(Ms)No.29,



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Personnel and Administrative Reforms (S) Department, dated 25.02.2021, thereby extended the age of superannuation from 59 to 60. By way of another G.O.Ms.No.51, Personnel and Administrative Reforms (S) Department, dated 07.05.2020, the age of superannuation was extended from 58 to 59. The petitioner, being an employee of the respondents is also entitled to serve till the age of 60.

5. On instructions, the learned Standing counsel appearing for the respondents submitted that the petitioner was appointed temporarily as Assistant Salesman and also on consolidated salary. Therefore, G.O.(Ms)No.29, Personnel and Administrative Reforms (S) Department, dated 25.02.2021 is not applicable to the case of the petitioner. It is applicable only to the employees of the Government and Government Aided Educational Institutions, Legal and Constitutional Bodies, Public Sector undertakings, Local Bodies, Commissions, Boards and Societies.

6. In view of the above, this Court finds no infirmity or illegality in the order passed by the third respondent and the writ petition is devoid of merits and is liable to be dismissed. Accordingly, this writ petition



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stands dismissed. Consequently, connected Miscellaneous petition is closed. No costs.

26.07.2024

Internet: Yes

Index : Yes/No

Neutral Citation: Yes/No

Speaking/Non Speaking order
mn

To

1. The Managing Director,

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G.K.ILANTHIRAIYAN. J,

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