



W.P.No.21032 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.07.2024

CORAM:

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

W.P.No.21032 of 2024

D.Thirupathi

... Petitioner

-Vs-

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

2. The Senior Regional Manager,
TASMAC Limited,
305A, Vilankurichi Road, Peelamedu,
Railway Station backside,
Cintamani Cooperative Shop,
Coimbatore District.

3. The District Manager,
Tamil Nadu State Marketing Corporation Ltd.,
Angaripalayam Road,
Tiruppur District.

... Respondents

Prayer : Writ Petition filed under Article 226 of Constitution of India
praying for the issuance of a Writ of Mandamus, directing the
respondents 1 to 3 herein to extend the date of superannuation of the



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petitioner herein from 58 years to 60 years of age (i.e., 15.08.2026) as per G.O.(Ms)No.29, Personnel and Administrative Reforms (S) Department, dated 25.02.2021 and confer all monetary benefits till 15.08.2026 to consider and pass orders on the petitioner's representations dated 03.07.2024 within a stipulated time as fixed by this Court.

For Petitioner : Mr.P.M. Jayachandran

For Respondents : Mr.K.Balakrishnan
Standing Counsel

ORDER

This Writ Petition has been filed directing the respondents 1 to 3 herein to extend the date of superannuation of the petitioner herein from 58 years to 60 years of age (i.e., 15.08.2026) as per G.O.(Ms)No.29, Personnel and Administrative Reforms (S) Department, dated 25.02.2021 and confer all monetary benefits till 15.08.2026 to consider and pass orders on the petitioner's representation dated 03.07.2024 within a stipulated time as may be fixed by this Court.

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



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3. The petitioner was appointed as Salesman in the respondent Corporation, on 29.11.2003, on temporary basis and also on consolidated salary. After attaining the age of 58, he was relieved from service by an order dated 15.08.2024.

4. The learned counsel for the petitioner submitted that the Government of Tamil Nadu passed an order in G.O.(Ms)No.29, 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 Salesman and also on consolidated salary. Therefore, G.O.(Ms)No.29, Personnel and Administrative Reforms (S) Department, dated



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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, the petitioner's representation cannot be considered and the writ petition is devoid of merits and is liable to be dismissed. Accordingly, this writ petition stands dismissed. No costs.

29.07.2024

Internet: Yes

Index : Yes/No

Neutral Citation: Yes/No

Speaking/Non Speaking order

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G.K.ILANTHIRAIYAN. J.

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