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W.P.No.22128 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01.08.2024

CORAM:

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

W.P.No.22128 of 2024

N.Dhanaraj

... Petitioner

Vs

- 1.The Assistant Director of Town Panchayats,
Kancheepuram, Kancheepuram District
- 2.The Executive Officer,
Walajabad Town Panchayat,
Kancheepuram 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 herein to forthwith make entry of the previous services of the petitioner rendered from 1983 to 1998 in the erstwhile Tamilnadu Steels Limited, Arakkonam into the Service Book of the petitioner maintained by the second respondent for the purpose of granting of pension within a stipulated time as framed by this Court by considering his representation dated 16.07.2024.

For Petitioner : Mr.A.Murthy



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W.P.No.22128 of 2024

For Respondents

For R1 : Dr.T.Seenivasan,
Special Government Pleader

For R2 : Mr.P.Sathish,
Additional Government Pleader

ORDER

This writ petition is filed for direction to the respondents to consider the representation submitted by the petitioner seeking to make entry of his previous services rendered from 1983 to 1998 in the erstwhile department into the service book maintained by the second respondent for the purpose of pension.

2. The petitioner was appointed as Electrical Helper on 08.07.1993 in the Tamilnadu Steels Limited at Arakkonam. Subsequently, he was promoted to the post of Electrician Grade-III on 31.03.1997. While being so, the said Tamilnadu Steels Limited, Arakkonam was wound up and its employees went on voluntary retirement scheme on receipt of adequate compensation. While being so, the Government passed orders in GO.Ms.No.524 Industries (MIA.I) dated 21.08.1998 and GO.Ms.No.623 Industries (MIA.I) dated



W.P.No.22128 of 2024

WEB COPY

22.09.1998 and ordered to absorb all the ex-employees of the Tamilnadu Steels Limited, Arakkonam into the State Public Sector Undertakings such as State Transport Corporations and Local Bodies. Accordingly, the petitioner was appointed as Electrician on 03.05.2001 in Walajabad Town Panchayat on consolidated salary. After completion of his three years of service, the petitioner was brought into time scale of pay with effect from 02.05.2004. Thereafter, the petitioner was retired from service on 30.11.2013 due to his attainment of age of superannuation. After retirement, he made representation to take into the earlier service rendered by him at Tamilnadu Steels Limited, Arakkonam for the purpose of pension. In this regard, the petitioner filed writ petition before this Court in WP.No.31399 of 2017 and the same was dismissed by this Court by an order dated 05.12.2017. Aggrieved by the same, the petitioner also filed appeal in WA.No.1660 of 2021. It was also dismissed by an order dated 16.02.2024 specifically observing as follows:

8. Even though, the appellant had made a claim that he had been absorbed pursuant to the beneficial Government orders issued in favour of the employees including the employees who have taken voluntary



W.P.No.22128 of 2024

retirement of the Tamil Nadu Steels Limited, there is no proof that had been produced before us to substantiate that his appointment in the 3rd respondent Town Panchayat was based upon the aforesaid orders. Further, if such an appointment had been given to the appellant as claimed by him, then the appellant could not have been appointed on a consolidated pay, but, would have been absorbed as regular employee of the Town Panchayat where he would also been subjected to recovery of the compensation paid under the Voluntary Retirement Scheme.”

3. Even after dismissal of the writ appeal, once again the petitioner made representation for the very same relief. Therefore, such representation cannot be considered and the writ petition itself is devoid of merits and liable to be dismissed. Accordingly, this writ petition is dismissed. There shall be no order as to costs.

01.08.2024

Neutral citation: Yes/No
Index: Yes/No
Speaking/Non-speaking order
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WEB COPY



W.P.No.22128 of 2024

To

- 1.The Assistant Director of Town Panchayats,
Kancheepuram, Kancheepuram District
- 2.The Executive Officer,
Walajabad Town Panchayat,
Kancheepuram District

G.K.ILANTHIRAIYAN, J.



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W.P.No.22128 of 2024

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