



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.08.2024

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

W.P.No.24966 of 2024

V.Lakshmi

... Petitioner

Vs.

1.The State of Tamil Nadu

Rep. by its Secretary to Government,

Backward Class and Most Backward Classes and Minority Welfare Department,

Fort St. George,

Chennai – 9.

2.The Commissioner,

Backward Class and Most Backward Classes,

Chepauk,

Chennai – 9.

3.The District Backward Class & Minority Welfare Officer,

Villupuram District,

District Collectorate,

Villupuram.

4.The Principal Accountant General (A & E),

Teynampet,

Chennai – 18.

... Respondents



Prayer : Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, direction to the respondents 2 and 3 to consider the representation of the petitioner for pension as per clause (ii) of the order made in W.A.158 of 2018 of Full Bench.

For Petitioner : Ms.K.Jenitha

For Respondents : Mr.P.Balathandayutham
Special Government Pleader for R1 to R3

Mr.P.Manorajan
Standing Counsel for R4

ORDER

This writ petition has been filed for issue of writ of mandamus directing the 2nd and 3rd respondents to consider the representation made by the petitioner on 05.05.2023, wherein, the petitioner has sought for pension in line with the judgment of the Full Bench in W.A.Nos.158 etc., of 2016.

2.Heard Ms.K.Jenitha, learned counsel appearing on behalf of the petitioner, Mr.P.Balathandayutham, learned Special Government Pleader appearing on behalf of respondents 1 to 3 and Mr.P.Manorajan, learned Standing Counsel appearing on behalf of the 4th respondent.



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3.The case of the petitioner is that she was appointed as an Assistant Cook by proceedings of the 3rd respondent dated 25.06.1998. The petitioner was brought under the time scale of pay in the year 2007. The probation was also declared in the year 2008. On completion of ten years of service, the petitioner was also granted Selection Grade in the year 2017. The petitioner attained the age of superannuation on 30.04.2023 and she retired from service.

4.The petitioner was not granted any pension and therefore, the petitioner made a representation on 05.05.2023. Since the same was not considered, the present writ petition has been filed before this Court.

5.The petitioner is claiming her right by virtue of the judgment of the Full Bench in W.A.Nos.158 etc., of 2016 dated 03.12.2019.

6.Taking into consideration the facts and circumstances of the case and also the limited relief that has been sought for in this writ petition, there shall be a direction to the petitioner to make a fresh representation to the 3rd respondent along



with all the relevant records and also a copy of this order. On receipt of the same, the 3rd respondent shall deal with the same on its own merits and in accordance with law and pass orders, within a period of eight weeks thereafter and convey the same to the petitioner.

7.This writ petition is disposed of with the above directions. No Costs.

29.08.2024

Internet : Yes
Index : Yes
Speaking Order / Non Speaking Order
ssr

To

- 1.The Secretary to Government,
State of Tamil Nadu
Backward Class and Most Backward Classes and Minority Welfare Department,
Fort St. George,
Chennai – 9.
- 2.The Commissioner,
Backward Class and Most Backward Classes,
Chepauk,
Chennai – 9.



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3. The District Backward Class & Minority Welfare Officer,
Villupuram District,
District Collectorate,
Villupuram.

4. The Principal Accountant General (A & E),
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Chennai – 18.



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N. ANAND VENKATESH, J.

SSI

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