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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.09.2024

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

W.P.No.28271 of 2024

1. D.Sudandra Dass

2. A.Panneer Selvam

3. Sivakumar

4. K.Arumugam

5. M.Murali

6. S.Wilson

7. K.Babu

8. N.Radhakrishnan

..Petitioners

Vs.

1. The Secretary to Government,
Housing and Urban Development Department,
Fort St. George,
Chennai 600 009

2. The Managing Director,
Tamil Nadu Housing Board,
CMDA Complex, E&C Market Road,



Koyambedu, Chennai 600 107

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus directing the respondents to calculate the petitioners pension by taking note of 50% services rendered as temporary employee till the petitioners regularization and disburse by calculating the same from their retirement date together with arrears by taking note of order passed in WP No.11746 of 2014 dated 03.11.2017 confirmed by the Hon'ble Division Bench in WA No.1857 of 2022 dated 16.08.2022

For Petitioner : Mr.C.Prakasam
For Respondents : Mr.K.Tamilvendan
Government Advocate for R1
Mr.D.Veerasekaran
Standing counsel for R2

ORDER

This writ petition has been filed for the issue of writ of Mandamus directing the respondents to calculate the petitioner's pension by taking note of 50% of the service rendered by the petitioners as temporary employees till the petitioners were regularised and to disburse the retirement benefits with arrears.

2. Heard Mr.C.Prakasam, learned counsel for the petitioner and Mr.K.Tamilvendan, learned Government Advocate for 1st respondent and



Mr.D.Veerasekaran, learned Standing counsel for 2nd respondent.

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3. The case of the petitioners is that they were appointed as Nominal Muster Roll Employees in the Tamil Nadu Housing Board and they had put in sufficient number of service and they had all retired during the period 2006 to 2017. The further case of the petitioners is that they were regularized by way of fixing the time scale of pay as per GO Ms.No.400 dated 02.05.1990. The grievance of the petitioners is that their earlier services rendered as temporary employees was not taken into consideration for the purpose of adding 50% to the total service rendered by them as temporary employees. The representation made by the petitioners in this regard on 29.08.2024 also did not evoke any response. It is under these circumstances, the present writ petition has been filed before this Court.

4. Taking into consideration the facts and circumstances of the case and the earlier orders that have been passed by this Court in various writ petitions dealing with the very same issue, there shall be a direction to the respondents to deal with the representation made by the petitioner on



29.08.2024 on its own merits and in line with the earlier orders passed by this Court and the steps that were taken pursuant to such orders passed by this Court and final orders shall be passed within a period of twelve weeks from the date of receipt of a copy of this order.

5. The petitioners are directed to make a individual representation to the respondents along with a copy of this order.

6. This writ petition is disposed of with the above directions. No costs.

24.09.2024

Internet : Yes
Index : Yes
Speaking Order / Non Speaking Order
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N. ANAND VENKATESH, J.

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To

1. The Secretary to Government,
Housing and Urban Development Department,
Fort St. George,
Chennai 600 009
2. The Managing Director,
Tamil Nadu Housing Board,
CMDA Complex, E&C Market Road,
Koyambedu, Chennai 600 107

WP No.28271 of 2024

24.09.2024