



WP(MD) No.17598 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **29.07.2024**

CORAM:

THE HONOURABLE MS.JUSTICE R.N.MANJULA

W.P.(MD) No.17598 of 2024

K.Sankaran

... Petitioner

Vs.

1. The Secretary,
Revenue Department and Land Survey Department,
Government of Tamilnadu,
Secretariat, Chennai - 09.

2. The Director,
Survey and Land Survey Records Department,
Survey House, Chepakkam,
Chennai - 5.

3. The Additional Director,
Survey and Land Survey Records Department,
Survey House, Chepakkam,
Chennai - 5.



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4. The Assistant Director,
Land Survey and Land Recorders Department,
Tirunelveli - 9.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the Respondents to consider the petitioner's representation, dated 20.03.2024.

For Petitioner : Mr.K.Sankaran (Party in Person)

For Respondents : Mr.N.Ramesh Arumugam
Government Advocate

ORDER

The present writ petition has been filed seeking a Writ of Mandamus, directing the Respondents to consider the petitioner's representation, dated 20.03.2024.

2. Heard Mr.K.Sankaran (Party in Person) and Mr.N.Ramesh Arumugam, learned Government Advocate appearing for the respondents



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3. By consent of both parties, this writ petition is taken up for final disposal at the stage of admission itself.

4. The petitioner has submitted that he has served between the period from 1982-1994 on consolidated pay and when his services have been regularised in the year 1994, the period during which he was on consolidated pay, was not included. The petitioner who appeared in person has stated that unless the above period is regularised, he cannot get the service benefits due to him.

5. Even though the petitioner's petition has raised many legal points, the petitioner who appeared in person, is not able to speak on the legal points but he has made his submission in vernacular language stating that his services would be regularised.

6. However, the learned Government Advocate submitted that the very same representation has been made by the petitioner, pursuant to the Government order in G.O.(Ms)No.408 Finance (Pension) Department, dated 25.08.2009 and the period of services



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rendered by the petitioner on consolidated pay has been taken into consideration for the purpose of computing his qualifying service for pensionary benefits and accordingly, half of the above services have been included in the qualifying service and the proceedings have been sent to the petitioner in the year 2022 itself and the petitioner received the same on 09.02.2022.

7. The very same petitioner has challenged the Government Order in G.O.(Ms)No.408, dated 25.08.2009 with the another petitioner by way of preferring a writ petition in W.P.(MD)Nos.19143 of 2022 and 2629 of 2023 and in which, the Court has passed the order by dismissing the writ petitions.

8. As on today, the petitioner's services rendered on consolidated pay is governed by the Government Order in G.O.(Ms)No.408, dated 25.08.2009. Since the petitioner was a party to the earlier writ petition filed challenging the above Government Order in G.O.(Ms)No.408, dated 25.08.2009 and is also aware of the same.



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9. Having chosen not to receive the orders passed in terms of G.O.(Ms)No.408 dated 25.08.2009, the petitioner has repeatedly given representation to the authorities, without any purpose. However, no copy of the order has been produced by the respondents to show that the petitioner's half of the services rendered in consolidated pay has been taken and proceedings have been issued in this regard.

10. In view of the same, this writ petition is **disposed of** with a direction to the respondents to consider the representation of the petitioner, dated 03.02.2023 and appropriate orders be passed and served upon the petitioner within a period of four weeks from the date of receipt of a copy of this order. No costs.

29.07.2024

Index : Yes / No
Internet : Yes / No
NCC : Yes / No
RM



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To
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R.N.MANJULA, J.

RM

Order made in
W.P.(MD)No.17598 of 2024

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