



W.P.(MD)No.15145 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 09.07.2024

CORAM

THE HONOURABLE MS JUSTICE R.N.MANJULA

W.P.(MD)No.15145 of 2024

V.Raghavan

... Petitioner

Vs.

1.The Superintending Engineer/Metro,
Trichy Electricity Distribution Circle,
TANGEDCO,
Trichy – 20.

2.The Chief Internal Audit Officer,
TANGEDCO,
144, Anna Salai,
Chennai – 2.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondents to count the half of the temporary service rendered by the petitioner as Temporary Casual Labourer from 01.01.1961 to 28.05.1970 for the purpose of pensionary benefits and re-fix the pension with all consequential monetary benefits in the light of the (Per) FB TANGEDCO Proceedings No.31 dated 08.09.2011 within the time period stipulated by this Court.

For Petitioner : Mr.T.Aswin Rajasimman

For Respondents : Mr.B.Ramanathan
Standing Counsel



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ORDER

WEB COPY Heard Mr.T.Aswin Rajasimman, learned counsel appearing for the petitioner and Mr.B.Ramanathan, learned Standing Counsel appearing for the respondents.

2. This Writ Petition has been filed for issuance of Writ of Mandamus, seeking direction against the respondents to count the half of the temporary service rendered by the petitioner as Temporary Casual Labourer from 01.01.1961 to 28.05.1970 for the purpose of pensionary benefits and re-fix the pension with all consequential monetary benefits in the light of the (Per) FB TANGEDCO Proceedings No.31 dated 08.09.2011.

3. Mr.T.Aswin Rajasimman, learned counsel appearing for the petitioner submitted that the petitioner, who had retired as Store Supervisor on 31.03.1996 in the respondent Department, had made a representation 27.06.2023 requesting the respondent Department to include half of his service rendered by him as Temporary Casual Labourer from 16.10.1961 to 28.05.1970, for the purpose of pensionary benefits. It is claimed that the petitioner has served as Temporary Casual Labourer in the respondent Department during the said period and as per PR FB TANGEDCO Proceedings No.31 dated 08.09.2011, the petitioner is entitled to count his past services for the purpose of pension.



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4. The learned counsel for the petitioner submitted that another proceedings have been issued by the TANGEDCO on 17.09.2019 vide Memo (Per.)No.51935/A18/A183/2017-10, it is stated that even in the event of the records of past services are not traceable, the Pension Sanctioning authorities are requested to count two years of service of the employees who were absorbed during 1973-1976, irrespective of the length of service rendered by them. In this regard, the petitioner had given a representation dated 27.06.2023 requesting the respondent Department to count the petitioner's past service for the purpose of pensionary benefits. Since no action was taken, the present petition is filed.

5. Taking into consideration the facts of the case and in the light of the earlier TANGEDCO proceedings dated 08.09.2011, this Writ Petition is **allowed** and the respondents are directed to consider the representation of the petitioner dated 27.06.2023 and pass orders on merits within a period of three weeks from the date of receipt of a copy of this order. No costs

09.07.2024

NCC:yes/no

<https://www.mhc.tn.gov.in/judis>



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Index:yes/no
Internet:yes/no
Nsr

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R.N.MANJULA, J.

Nsr

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