



W.P.(MD)No.15146 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.15146 of 2024**

S.Periasamy

... 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 the year 1966 to 1970 for the purpose of pensionary benefits and re-fix the pension with all consequential monetary benefits by implementing the Revised Proceedings No.241/ADM.V/A1/F.Pension/2023 issued by the first respondent dated 10.04.2023 in the light of the (Per) FB TANGEDCO Proceedings No.31 dated 08.09.2011 within the time period stipulated by this Court.



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For Petitioner : Mr.T.Aswin Rajasimman

For Respondents : Mr.B.Ramanathan  
Standing Counsel

### **ORDER**

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 the year 1966 to 1970 for the purpose of pensionary benefits and re-fix the pension with all consequential monetary benefits by implementing the Revised Proceedings No.241/ADM.V/A1/F.Pension/2023 issued by the first respondent dated 10.04.2023 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 Foreman Grade-I on



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28.02.1999 in the respondent Department, had made a representation

27.05.2024 requesting the respondent Department to include half of his service rendered by him as Temporary Casual Labourer from 1966 to 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.

4. The learned counsel for the petitioner submitted that the petitioner sent an application on 17.03.2023 seeking for the said benefit to the first respondent. The first respondent, in turn, vide order dated 10.04.2023 has counted 2 years service from the Temporary Casual Labourer service and issued orders to that effect and forwarded the same to the second respondent vide letter dated 20.04.2023 for sanctioning the same. But, the second respondent did not take action for sanctioning the benefits. In this regard, the petitioner had given a representation dated 27.05.2024 requesting the second respondent to pass orders upon the proposal submitted by the first respondent. Since no action was taken, the present petition is filed.



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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 27.05.2024 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  
Index:yes/no  
Internet:yes/no  
Nsr

**To:**

- 1.The Superintending Engineer/Metro,  
Trichy Electricity Distribution Circle,  
TANGEDCO,  
Trichy – 20.
- 2.The Chief Internal Audit Officer,  
TANGEDCO,  
144, Anna Salai,  
Chennai – 2.



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**R.N.MANJULA, J.**

Nsr

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