



W.P.(MD) No.17510 of 2020

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 14.02.2024

CORAM

THE HON'BLE MR.JUSTICE MUMMINENI SUDHEER KUMAR

W.P.(MD) No.17510 of 2020

and

W.M.P.(MD) No.14657 of 2020

J.Ramasubramaniam

... Petitioner

Vs.

1.The State of Tamil Nadu,
Rep., by Principal Secretary to Government,
Finance (Pension) Department,
Government of Tamil Nadu,
Secretariat, Fort St. George,
Chennai-600 009.

2.The Deputy Secretary to Government,
Finance (PGC-I) Department,
Government of Tamil Nadu,
Secretariat, Chennai-600 009.

3.The Accountant General (A & E),
Teynampet,
Chennai-600 018.

... Respondents



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Prayer: Petition filed under Article 226 of the Constitution of India to issue Writ of Certiorarified Mandamus calling for the records relating to the impugned order of the 2nd respondent in Lr.No.35292/Fin (PGC-I)2019 dated 16.07.2020, quash the same and consequently direct the 2nd respondent herein to count the past service of the petitioner rendered in TANGEDCO from 18.11.1995 to 25.10.2007 for the purpose of reckoning pension under Rule 11 of the Tamil Nadu Pension Rules, 1968 and disburse the same with arrears and revised pension from the date of retirement of petitioner on 30.03.2017.

For Petitioner	:	Mr.S.Srinivasa Raghavan
For RR1 & 2	:	Mr.D.Sasikumar Additional Government Pleader
For R3	:	Mr.P.Gunasekaran

ORDER

It is brought to the notice of this Court that subsequent to the filing of the present writ petition, the Government issued G.O.(Ms).No.73, School Education [SE3(2)] Department, dated 11.04.2022 substantially addressing the grievance of the petitioner and a copy of the same is also placed before



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this Court. However, it is contended by the learned counsel for the petitioner that the said Government Order requires remitting of the pension contribution in respect of the petitioner due for the period from 18.11.1995 to 25.10.2007 to the Government account either by the Tamil Nadu Generation and Distribution Corporation Limited or by the individual. Necessarily, unless and until the said pension contribution is remitted to the Government account, the question of Government taking into consideration the said services for the purpose of payment of pension does not arise.

2. In the light of the above, in principle the Government has accepted to take into consideration the services rendered by the petitioner with the Tamil Nadu Generation and Distribution Corporation Limited for the purpose of payment of pension subject to condition as noted above.

3. In the light of the above, this Writ Petition is disposed of granting liberty to the petitioner to pursue with the Tamil Nadu Generation and Distribution Corporation Limited for remitting the pension contribution for the period during which the petitioner worked with the said Corporation



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and take necessary steps in that regard. In case, if the petitioner has got any grievance against the said Corporation, for not remitting the pension contribution, it is open for the petitioner to take appropriate action against the Corporation.

4. Subject to the above observation, this Writ Petition is disposed of. No costs. Consequently, connected miscellaneous petition, if any, shall stand closed.

14.02.2024

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

ABR



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To

- 1.The Principal Secretary to Government,
State of Tamil Nadu,
Finance (Pension) Department,
Government of Tamil Nadu,
Secretariat, Fort St. George,
Chennai-600 009.
- 2.The Deputy Secretary to Government,
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Government of Tamil Nadu,
Secretariat, Chennai-600 009.
- 3.The Accountant General (A & E),
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MUMMINENI SUDHEER KUMAR, J.

ABR

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