



W.P.(MD)No.16717 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 24.07.2024

CORAM:

THE HONOURABLE MS.JUSTICE R.N.MANJULA

W.P.(MD)No.16717 of 2024

P.Ramakrishnan

... Petitioner

vs.

- 1.The Principal Secretary to Government,
Rep. by its Energy Department,
Secretariat, Fort St.George,
Chennai - 600 009.
- 2.The Chairman Cum Managing Director,
The Tamil Nadu Electricity Generation &
Distribution Corporation Ltd.,
No.144/800, Anna Salai,
Chennai - 600 002.
- 3.The Superintending Engineer,
Tamil Nadu Electricity Generation &
Distribution Corporation Ltd.,
Virudhunagar Electricity Distribution Circle,
Virudhunagar District.
- 4.The Chief Internal Audit Officer / Audit Branch,
TANGEDCO,
No.144/800, Anna Salai,
Chennai - 600 002.

... Respondents



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Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the respondents 1 to 3 to count the half of service rendered by the petitioner on temporary basis from 01.11.1981 to 31.01.1995 along with the regular service from 01.02.1995 as helper to till the date of retirement on 31.05.2013 as qualifying service for the purpose of conferment of revised pension and to direct the respondents to send revised pension proposal including family pension, gratuity and commuted value of pension to the fourth respondent to authorize the same with all other consequential arrear benefits with 6% interest as per rule 11(2) of Tamil Nadu Pension Rule, 1978, in the light of the orders made in (per) CMD TANGEDCO proceedings no.52, dated 02.03.2018 within a stipulated time.

For Petitioner : Mr.I.Kannapatel

For Respondents : Mr.N.Ramesh Arumugam
Government Advocate for R1

Mr.B.Ramanathan
Standing Counsel for R2 to R4

ORDER

The petitioner herein, who retired as a Line Inspector in the TANGEDCO had given a representation dated 13.06.2024 to the respondents 1 to 3 for the purpose of conferment of revised pension as per



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the Government Order in G.O.Ms.No.22, Personal and Administrative Reforms Department, dated 28.02.2006 and as per the Orders of this Court in W.P.No.23101/2012 dated 09.09.2014 and W.P.(MD)No.2564 of 2021 dated 16.04.2024. Since the said representation was not considered, the present writ petition has been filed.

2. It is needless to point out that whenever a representation of this nature is made to a Government Authority, there is a duty cast upon them to consider the same on their own merits and pass appropriate orders in one way or other, instead of keeping the same pending indefinitely. The failure on the part of the Authority had prompted the petitioner to file this petition seeking relief through issuance of writ of mandamus. As the petitioner has made out a case for invoking the extraordinary powers of this Court under Article 226 of the Constitution of India, the respondents 1 to 3 are required to be given with a direction to consider the representation of the petitioner within a specified time frame.



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3. In the light of the above observations, there shall be a direction to the respondents 1 to 3 herein to consider the petitioner's representation dated 13.06.2024 on their own merits and pass appropriate orders in accordance with law, within a period of six weeks from the date of receipt of a copy of this order. It is made clear that this Court has not gone into the merits of the claim of the petitioner and it is open to the respondents 1 to 3 to consider the same on their own merits.

4. With the above direction, the Writ Petition stands **disposed of**. No costs.

24.07.2024

NCC: Yes/No
Index : Yes/No
Speaking/Non-Speaking order

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- 1.The Principal Secretary to Government,
Rep. by its Energy Department,
Secretariat, Fort St.George,
Chennai - 600 009.



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R.N.MANJULA, J.

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