



W.P.(MD)No.21391 of 2022

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 30.08.2024

CORAM:

THE HON'BLE MR JUSTICE R.VIJAYAKUMAR

W.P.(MD)No.21391 of 2022

P.Nataraja Sundaram

... Petitioner

vs.

1.State of Tamil Nadu
Represented by its Principal Secretary
Department of Higher Education
Fort St.George, Chennai -09

2.The Registrar
Madurai Kamaraj University
Madurai 21

....Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying for a Writ of Mandamus to direct the second respondent to take petitioner's service from 1988 to 1993 in the second respondent university along with the sanctioned petitioner's pension benefits as per petitioner's representation on 21.05.2019 and 02.07.2020 and fix a time frame to sanction the pension benefits to the petitioner by including the above mentioned 5 years period of service.



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For Petitioner	: Mr.R.Ramasamy
For R1	: Mr.J.Ashok Additional Government Pleader
For R2	: Mr.R.M.Makesh Kumaravel

ORDER

The instant writ petition has been filed by a Data-Assistant working in the School of Biological Science of the second respondent university seeking a mandamus to direct the university to reckon the services of the petitioner from the year 1988 to 1993 in the second respondent university for sanctioning of petitioner's pensionary benefits as per petitioner's representation dated 21.05.2019 and the remainder dated 02.07.2020.

2. According to the learned counsel for the writ petitioner, the petitioner has put in qualifying services of 29 years and 15 months. However, the pension payment order reflects the net qualifying service as 26 years 3 months and 22 days only.

3. The learned counsel appearing for the second respondent/university fairly submitted that the correct qualifying service of the writ petitioner is 29 years and 15 months. However, the same is not reflected in the pension payment order and it has not been taken into consideration for calculation of pensionable service.



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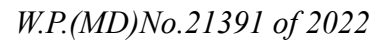
4. In view of the above said facts, the second respondent/university is directed to revise the pension of the writ petitioner taking into consideration the net qualifying services of the writ petitioner as 29 years and 15 months and pay the arrears for the period between 01.01.2020 to 30.11.2023 in view of the enhancement of the net qualifying service.

5. Therefore, the second respondent university is directed to calculate the pensionary benefits and gratuity for the above said period and disburse the arrears of pension within a period of 12 weeks from the date of receipt of a copy of this order.

6. With the above said observation, this Writ Petition stands disposed of. No costs.

30.08.2024

Intex : Yes/No
Internet : Yes/No
NCC : Yes/No
msa



The Principal Secretary
Department of Higher Education
Fort St.George
Chennai -09



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R.VIJAYAKUMAR, J.

msa

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