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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.02.2025

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THE HON'BLE Mr. JUSTICE **C.V.KARTHIKEYAN**

W.P.No.6564 of 2025

1.R.Tamijeselv
2.S.Ilango

.. Petitioners

Vs.

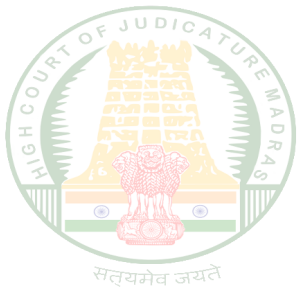
1.The Government of Puducherry,
Rep. by the Chief Secretary to Government,
Chief Secretariat,
Puducherry – 605 001.

2.The Director,
Local Administrative Department,
No.16, Suffren Street,
Puducherry – 605 001.

3.The Commissioner,
Office of the Commissioner,
Villianur Commune Panchayat,
Villianur,
Puducherry – 605 110.

.. Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the 2nd and 3rd respondents to consider the petitioners' representation dated 01.10.2024 and consequently, grant pensionary benefits to the petitioners under Old Pension Scheme by taking into account of the petitioners initial date of appointment.



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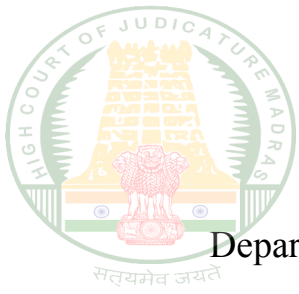


For Petitioner	.. Mr.D.Sreenivasan
For R1 & R2	.. Mr.Kumaran, Additional Government Pleader.

ORDER

This Writ Petition has been filed in the nature of a Mandamus seeking a direction against the 2nd respondent to consider the representation dated 01.10.2024 given by the petitioners.

2.In the affidavit filed in support of the writ petition it had been contended that the 1st petitioner was engaged as Technical Assistant Grade-II (Work Charged Establishment) and the 2nd petitioner was engaged as Lower Division Clerk (Work Charged Establishment) in the 3rd respondent panchayat between 05.03.1997 and 01.08.1997. It had been stated that they were initially employed on daily rated basis. Thereafter, the 2nd respondent had forwarded a proposal for regularization of the workers like the petitioners herein. The 1st respondent had passed G.O.Ms.No.15/LAS/2015-16 on 31.07.2015 approving the proposal of the Local Administration



Department to regularize the employees working under the Petty Supervision Charges (Work Charged Establishment) in various Municipalities and Commune Panchayat, in Puducherry, Karaikal, Mahe and Yanam regions. This regularization was considered as a one time measure. It had been further stated that the recruitment of the petitioners would also considered by the 1st respondent and the 3rd respondent had issued a memorandum offering appointment to the posts of Work Inspector and Maistry. It had been stated that the petitioners had taken such employment. Thereafter, further orders were passed qualifying the 50% of the services rendered as daily wages workers to be counted for grant of pensionary benefits. The petitioners had given a representation in this regard and filed the present Writ Petition seeking a mandamus to examine the said representation.

3. Heard the learned counsel for the respondents also.

4. Taking into consideration the period of service rendered by the petitioners initially as daily rated workers and subsequently as being regularized by the respondents, the only issue is about the service rendered as daily rated employees and the period of service namely, 50% of that



service should be taken into consideration. Let the 2nd respondent may examine the representation of the petitioners and pass appropriate orders.

The entire proceeding must be completed within a period of six weeks from the date of receipt of a copy of this order. Accordingly, this Writ Petition stands disposed of. No costs.

26.02.2025

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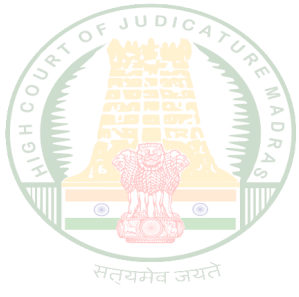
Index: Yes/No

Internet: Yes/No

To

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C.V.KARTHIKEYAN,J.



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