



W.P.(MD).No.11488 of 2019

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 10.06.2025

CORAM

THE HONOURABLE MR.JUSTICE K.RAJASEKAR

W.P.(MD).No.11488 of 2019

V.Pethuchetty

.. Petitioner

Vs.

1. The Chairman,
TANGEDCO,
144, Annasalai, Chennai-2.

2. The Superintending Engineer,
Dindigul Electricity Distribution Circle,
TANGEDCO, Dindigul.

3. The Execute Engineer,
Dindigul South Division,
TANGEDCO, Dindigul.

.. Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified mandamus, calling for the records relating to the 3rd respondent in Ref.No. Ka.No. Cha.Po./(South) Dindigul/Ni.ou.2/Ko.Manu/Aa.No. 1188/18 dt 28.08.2018 to quash the same directing the respondents to consider the sanction of pay revision first on 01.12.2007 and the pension thereafter which fell on 01.12.2007 to the petitioner.

For Petitioner : Mr.R.Thangasamy



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For Respondents : Mr.B.Ramanathan
Standing Counsel

ORDER

The petitioner has filed the present writ petition before this Court, challenging the impugned order passed by the third respondent dated 28.08.2018 and consequently, to consider the sanction of pay revision effective from 01.12.2007 and the pension thereafter, which also fell due on 01.12.2007 in favour of the petitioner.

2. The learned counsel for the petitioner submitted that the petitioner was superannuated on 30.11.2007 and on the next date of his superannuation, a new pay revision was implemented in accordance with the Settlement under Section 12(3) of the Industrial Disputes Act and the pay was revised for all other employees. The petitioner is now claiming revision of pay and consequently, for pension, by extending the above benefit to him.

3. Admittedly, the petitioner superannuated on 30.11.2007 and that the revision of pay was implemented based on Section 12(3) Settlement entered between the parties. There is no provision for extending the revision of pay to



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those who retired prior to the date of implementation of Section 12(3)

Settlement, i.e., 01.12.2007.

4. It is also brought to my knowledge that based on the representation made between the parties, the Tamil Nadu Electricity Board has issued the Board Proceedings in (Permanent) B.P.(Ch) No.223, dated 21.11.2009, considering the various grievances raised by the retired staff, who retired on 30.11.2007. As per the Board Proceedings, it was decided to increase the pension by 40% on the ground that those retirees had not benefited from the pay revision effective from 01.12.2007.

5. The learned Standing Counsel appearing on behalf of the respondents submitted that, based on the Board Proceedings dated 01.12.2009, the petitioner's case was also considered and his pension was accordingly revised. According to him, the actual pension of Rs. 6,694/- admissible to the petitioner as of 01.12.2007 was revised by the Internal Audit, Chennai, to Rs.10,085/- in accordance with the aforementioned Settlement regulation, effective from 01.12.2007. This submission is also supported by the counter-affidavit filed herein. Since the petitioner's grievance has been addressed and the Board, through the Board Proceedings dated 21.11.2009 cited above, has



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extended the benefit by way of enhanced pension, no further orders are required

in this writ petition.

6. Accordingly, this Writ Petition stands disposed of. There shall be

no order as to costs.

10.06.2025

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

To

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K.RAJASEKAR,J.

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