2026:MHC:4493

Order QR

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30-10-2026

CORAM

THE HON'BLE MR.JUSTICE C.KUMARAPPAN

WP No. 7145 of 2022

CNR:{HCMA010416672022}

and

WMP Nos.7168 and 7169 of 2022

V.Ganesan

..Petitioner(s)

Vs

1. SAIL Refractory company Ltd.,
   Rep by its Chief Operating Officer,
   Post Box No. 565, Salem- 636 005.

2. The Deputy General Manager (Personnel and Administration)
   SAIL Refractory company Ltd.,
   Post Box No. 565,
   Salem- 636 005.

3. The Assistant General Manager (Personnel and Administration),
   SAIL Refractory company Ltd.,
   Post Box No. 565,
   Salem- 636 005.

..Respondent(s)

Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus, calling for the records to relating to the order bearing ref. No. SRCL /P & A/2021-2022/P211/3386 dated 12.03.2022 passed by the 2nd respondent in rejecting the Petitioner's representation dated 04.03.2022 for continuing him in service up to the age of 60 years in terms of the Board Resolution dated 07.09.2017 and order bearing ref. No.SRCL/P&A/2022/0001 dated 01.01.2022 passed by the 3rd respondent stating that he would be retired from service w.e.f. 31.03.2022 on completing 58 years of age as being contrary to the aforesaid resolution of the 1st respondent

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Board enhancing the age of retirement to 60 years of age and to quash the same as being illegal and contrary to the Board Resolution dated 07.09.2017 and OM dated 20.04.2007 and for a consequential direction to the respondents to continue him in service till he completes 60 years of age with all consequential benefits including the monetary benefits within a time frame to be fixed by this Court.

For Petitioner(s): Mr.V.Govardhanan
M/s.Row and Reddy

For Respondent(s): Mr.C.Veeraraghavan

ORDER

The present Writ Petition has been filed seeking issuance of a Writ of Certiorarified Mandamus, calling for the records relating to the orders dated 12.03.2022 and 01.01.2022 passed by the second and third respondents, respectively, rejecting the representation submitted by the petitioner on 04.03.2022, and to quash the same.

2. The learned counsel for the petitioner would submit that the petitioner was appointed as a Trainee Clerk in Burn Standard Company Limited on 01.07.1989. Upon successful completion of the training period, he was appointed as Junior Clerk – cum - Typist and, ultimately, on 26.03.2016, the said Company promoted him as Deputy Manager (Production).

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Thereafter, he was promoted as Manager (Production), and the said post was subsequently redesignated as Senior Manager. It is the specific submission of the learned counsel for the petitioner that he is presently holding the post of Senior Manager in E-4 Grade. He would further submit that, on 19.05.1998, the Ministry of Industry, Department of Public Enterprises, issued a Memorandum enhancing the age of retirement from 58 years to 60 years. The contention of the learned counsel for the petitioner is that the said Memorandum is applicable to him, whereas the respondents dispute the same.

3. At this juncture, the learned counsel appearing on either side would submit that, when a similar issue arose before this Court, this Court, in W.P.No.8663 of 2020, passed an order holding that the Office Memorandum issued by the Department of Public Enterprises, Ministry of Industry, dated 20.04.2007, was applicable to the petitioner therein. The learned Single Judge, taking into consideration the continuation of the employees pursuant to the interim order, ultimately concluded that the aforesaid Memorandum was applicable to the employee. The said order was also affirmed by the Hon'ble Division Bench of this Court in W.A.No.2051 of 2025.

4. Further, it is the specific submission of the learned counsel appearing on either side that the issue involved in the present Writ Petition is squarely covered by the decision rendered in W.A.No.2051 of 2025.

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5. In view of the aforesaid fair submissions made by the learned counsel appearing on either side, the present Writ Petition is disposed of in terms of the judgment passed in W.A.No.2051 of 2025. However, this Court deems it appropriate to direct the respondents to settle whatever monetary benefits the petitioner is eligible for, within a period of twelve weeks from the date of receipt of a copy of this order. Consequently, the connected Miscellaneous Petitions are closed. No costs.

30-10-2026

Index: Yes
Speaking order
Neutral Citation: Yes

KV

To

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C.KUMARAPPAN J.

KV

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