2026:MHC:4492

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. 18601 of 2023

CNR:{HCMA011089762023}

and

WMP Nos. 17836 and 17838 of 2023

P.Ayyavu

..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 Limited,
   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 and A / 2023 / P220 / 339 dated 19.05.2023 passed by the 2nd respondent in rejecting petitioner representation dated 06.05.2023 for continuing him in service upto the age of 60 years in terms of the Board Resolution dated 07.09.2017 and order bearing ref. No. SRCL / P and A / 2023 / 00106 dated 02.05.2023 passed by the 2nd respondent stating that the petitioner will be retired from service w.e.f 30.06.2023 on attaining 58 years and to quash the same as being illegal, arbitrary and contrary to the aforesaid resolution of the 1st respondent Board enhancing the age of retirement to 60 years and OM dated 20.04.2007 and for a consequential direction to the respondents to continue him in service till I complete 60 years with all consequential benefits including the monetary benefits within a time frame to be fixed by this Court.

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

For Respondent(s): Mr.C. Veeraraghavan

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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 19.05.2023 and 02.05.2023 passed by the second respondent, rejecting the representation submitted by the petitioner on 06.05.2023, and to quash the same.

2. The learned counsel for the petitioner would submit that the petitioner was appointed as a Junior Supervisor Trainee in Burn Standard Company Limited on 01.03.1993. Subsequently, he was promoted as Officer (Production) with effect form 01.08.2005. It is the specific submission of the learned counsel for the petitioner that he is presently holding the post of Officer (Accounts). 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

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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.

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

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C.KUMARAPPAN J.

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