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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17-11-2026

CORAM

THE HON'BLE MR.JUSTICE C.KUMARAPPAN

WP No. 27819 of 2023

CNR:{HCMA011675212023}

and

WMP No. 3894 of 2026

Case QR

Mrs.V..Thulasi

..Petitioner

Vs

1. The Secretary to Government
   Khadi and Village Industries Department,
   Secretariat, Chennai 9.

2. The Secretary
   Small and Medium Scale Industrial
   Organisation (G) Department,
   Secretariat, Chennai 9.

3. The Chief Executive Officer
   Khadi and Village Industries Board,
   Kuralagam, Chennai 104.

4. Director of Industrial Commissioner and
   Industries And Commerce,
   2nd and 3rd floor, SIDCO Industries Buildings,
   Thiru Vi. Ka Industrial Estate, Guindy,
   Chennai 32.

..Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, to issue a writ of mandamus, directing the respondents 1 and 3 to consider the petitioners representation dated 26.08.2023 in consonance with proceedings of the 4th respondent dated 20.07.2023 and also as per the order passed by the Honourable supreme Court in Civil Appeal No. 8989/2014 in Special Leave Petition No.4143/2013 dated 16.09.2014 and revise the pension and gratuity from the date of original appointment dated 10.11.1983 in TANSI AND

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TALCO, Government Organisation.

For Petitioner: Mr.S.Packiaraj

For R1, R2 and R4: Mr.K.K.Ram Siddhartha,
Additional Government Pleader

For R3: Ms.K.Nandhini Devi
Standing counsel

ORDER

This writ petition has been filed by the petitioner for the issuance of a writ of mandamus, directing the respondents 1 and 3 to consider the petitioner's representation dated 26.08.2022 in consonance with proceedings of the 4th respondent dated 20.07.2023 and also as per the order passed by the Honourable supreme Court in Civil Appeal No. 8989 of 2014 in Special Leave Petition No.4143 of 2013 dated 16.09.2014 and revise the pension and gratuity from the date of original appointment dated 10.11.1983 in TANSI and TALCO, Government Organisation.

2. The learned counsel for the petitioner submitted that as per the order of the Hon'ble Supreme Court in Civil Appeal No.8989 of 2014, the petitioner is entitled to count his past service from 10.11.1983 until the date he joined Khadi in the year 2000.

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3. At this juncture, the learned Additional Government Pleader appearing for the respondents 1, 2 and 4 as well as the learned Standing counsel appearing for the 3rd respondent relied upon G.O.Ms.675 Finance (Bureau) of Public Enterprises Department dated 22.09.1993 and G.O.Ms.No.54, Small Industries Department dated 30.10.2000. According to G.O.Ms.No.675, dated 22.09.1993, if an employee of a Public Sector Undertaking or Statutory Board is absorbed by another Board, within one year from the date of absorption, the option has to be exercised either to count his past service or to receive back the Contributory Provident Fund (CPS) from the former employer.

4. In the case in hand, though the 1st respondent relies upon G.O.(Ms).No. 675, dated 22.09.1993, neither the petitioner nor the respondents have stated whether the petitioner exercised option as per the stipulations in G.O.No.675 dated 22.09.1993.

5. In such view of the circumstances, this Court is of the firm view that instead of going into the merits of the matter, this Court deems it appropriate to direct respondents 1 to 4 to consider the petitioner's representation dated 26.08.2022 according to its own merits and in accordance with law. In the event, if the respondents arrive at a conclusion that there is proof that the petitioner had opted the rights as conferred under G.O.(Ms).No.675, dated 22.09.1993, it is for the respondents to count the past services of the petitioner

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from 10.11.1983. The aforesaid exercise is directed to be completed within a period of eight weeks from the date of receipt of a copy of this order.

6. With the above directions, this Writ petition stands disposed of. Consequently, connected miscellaneous petitions is closed. No costs.

17-11-2026

Index: Yes
Speaking order
Neutral Citation: Yes

SHL

To:

1. The Secretary to Government
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2. The Secretary
   Small and Medium Scale Industrial Organisation (G) Department,
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3. The Chief Executive Officer
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4. Director of Industrial Commissioner and
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C.KUMARAPPAN J.

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