



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02-07-2026

CORAM

THE HON'BLE MS. JUSTICE P.T. ASHA

WP No. 24223 of 2024

V.Kuppusamy
S/o.Venkiya Gounder,
Village Administrative Officer (retd),
Erumiyampatty Village,
Pappireddipatti Taluk,
Dharmapuri District.

..Petitioner(s)

Vs

1. The State Of Tamil Nadu,
Rep. By Its Principal Secretary/Additional
Chief Secretary,
Revenue And Disaster Management
Department,
St.George Fort, Chennai- 600 009.
2. The District Collector,
Dharmapuri, Dharmapuri District.

..Respondent(s)

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, pleaded to a writ, direction or Order in the nature of WRIT OF CERTIORARIFIED MANDAMUS, or any other appropriate Writ or Order or Direction, in the nature of Writ, calling for the records pertaining to the order passed by the first respondent in his Letter No. 35278 / Service-8(2)-2023-3 dated 12.07.2024 and quash the same and direct the respondents to sanction minimum pension with arrears as done in the case of his colleagues vide G.O.Ms. No. 148, Revenue (Service-8(2)) Department, dated 20.04.2011 and G.O.Ms.No. 158 Revenue (Service-8(2)) Department dated 08.04.2015.



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For Petitioner(s):

Mr.P.Ganesan

For Respondent(s):

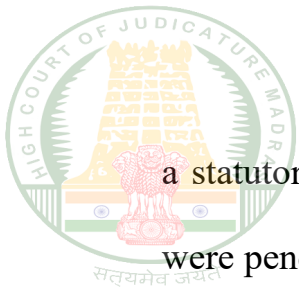
Mr.K.Sathish,
Government Advocate

Order

This Writ Petition is filed for the following relief:

“to call for the records pertaining to the order passed by the first respondent in his Letter No. 35278 / Service-8(2)-2023-3 dated 12.07.2024 and quash the same and direct the respondents to sanction minimum pension with arrears as done in the case of his colleagues vide G.O.Ms. No. 148, Revenue (Service-8(2)) Department, dated 20.04.2011 and G.O.Ms.No. 158 Revenue (Service-8(2)) Department dated 08.04.2015”.

2.The case of the petitioner is that the petitioner was temporarily appointed as a Village Munsif on 01.03.1975. His services were regularized on 16.05.2001, and he was appointed as a Village Administrative officer. While serving at Kolagampatti Village, Dharmapuri District, a Charge Memo under Rule 17(b) was issued on 29.06.2009, one day before his superannuation, and he was permitted to retire subject to the pending charges. By order dated 09.06.2015, a pension cut of Rs.1,000/- per month for one year was imposed. The petitioner accepted the punishment and sought disbursement of his terminal benefits as per the relevant Government Orders. It is contended that pension is



a statutory right and cannot be denied merely because Rule 17(b) proceedings were pending. The denial of minimum pension is arbitrary, contrary to law, and violative of Article 14 of the Constitution of India. Hence, the writ petition.

3.The learned Government Advocate appearing for the respondents vehemently contended that the petitioner is guilty of serious misappropriation and proceedings were initiated by issuing charges under Rule 17(b) of Tamil Nadu Civil Services (Discipline and Appeal) Rules against the petitioner. Thereafter, charges were also framed, and while the matter was pending investigation, the petitioner filed the present writ petition. Therefore, the petitioner is not entitled to be considered for promotion. He relied upon paragraph No.24 of the counter, and the relevant portion is extracted hereunder:

24.I respectfully submit that the Respondent herein after analyzing the Representation of the Petitioner at length passed the following Order through his Letter No.35525/Ser-8(2)/2020-6 dated 08.09.2021:

“4.Based on the above Judgment, the request of the petitioner Thiru.v.Kuppusamy, Retired Village Administrative Officer, Dharmapuri District, have again been examined by the Government in detail with the proposal of the District Collector, Dharmapuri and Additional Chief Secretary / Commissioner of Revenue Administration. The petitioner had worked totally for only 8 years 1 month and 15 days as Village



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Administrative Officer and he had worked for only 3 month as Munisif. (i.e) (01.03.1975 to 31.05.1975) and he had not lost his post on 14.11.1980 as instructed in G.O.(Ms).No.756, Revenue Department, dated 17.08.1993. According to Rule 43(2) of the Tamil Nadu Pension Rule, 1978, the Government employee must work for 10 years for getting pension. As per this rule and G.O.(Ms).No.756, Revenue Department, dated 17.08.1993 and G.O.(Ms).No.148, Revenue Department, dated 20.04.2011, the petitioner is not entitled / eligible for minimum pension, as the petitioner had worked totally for 8 years only. Hence, the request of the petitioner dated 10.09.2020 in the reference third cited is again rejected by the Government in the reference eighth cited (Copy enclosed) and accordingly the petitioner has also been informed.”

4.The learned Government Advocate appearing for the respondents further submitted that being dissatisfied with the above order of the first respondent herein, the petitioner preferred W.P.No.21632 of 2021 seeking to quash the said order of the first respondent dated 08.09.2021. This Court, vide order dated 19.12.2023, allowed the writ petition and set aside the impugned orders in Letter No.35525/Service-8(2)(2020-5 dated 08.09.2021 and Letter No.26702/Service-8(2)2019-7 dated 17.05.2021 and directed the respondents to reconsider the claim. He further submitted that, pursuant to this Court’s earlier order, the first respondent reconsidered the petitioner’s claim and by order dated 12.07.2024, rejected it, holding that Disciplinary Charges were pending against



the petitioner when G.O.Ms.No.158, was issued. It was further submitted that the petitioner is not entitled to minimum pension, as he did not satisfy the eligibility criteria even after relaxation under Rule 43 of the Pension Rules.

5.Heard the learned counsel on either side and perused the materials available on record.

6.In a similar case, this Court in ***WP.No.2426 of 2018 dated 29.06.2022***, in the matter of ***A.Savarimuthu Vs. Government of Tamil Nadu, Rep. by its Secretary to Government, Revenue and Disaster Management Department, Fort St.George, Chennai – 600 009***, had passed the following order:

“32.In that view of the matter, this Court is inclined to dispose of this writ petition with the following orders:

□ *That the impugned order dated 29.08.2017 is hereby quashed. As a sequel, there shall be a direction to the respondents to consider the request of the petitioner and treat him as a person who lost the job as on 14.11.1980 and accordingly by taking into account his service with effect from 26.04.2001 till 31.05.2004 as Village Administrative Officer along with the service which notionally be treated from 14.11.1980 for the purpose of calculating the minimum pensionable service of 10 years by extending the benefit under G.O.Ms.No.158 Revenue Department dated 08.04.2015 calculate the minimum*



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pension payable to the petitioner from the date of his request, i.e. 03.02.2017 and pay the same with arrears to the petitioner.

☐ *The needful as indicated above shall be undertaken by the respondents within a period of eight weeks from the date of receipt of a copy of this order.*

33. With these directions, this writ petition stands disposed of.

However, there shall be no order as to costs.”

7. The above order squarely applies to the facts of the instant case and accordingly, this writ petition is disposed of on the same lines of the orders passed in W.P.No.2426 of 2018 dated 29.06.2022. No costs.

02-07-2026

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No

AH

To

1. The Principal Secretary/Additional Chief
Secretary,
Revenue And Disaster
Management Department,
St. George Fort, Chennai- 600 009.
2. The District Collector,
Dharmapuri,
Dharmapuri District.



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P.T.ASHA J.

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