

W.P.(MD)No.18739 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: **06.07.2026**

CORAM

THE HONOURABLE **MR.JUSTICE MUMMINENI SUDHEER KUMAR**

W.P.(MD)No.18739 of 2026
and
W.M.P.(MD)No.13868 of 2026

Chelladurai

... Petitioner

vs.

- 1.The Additional Chief Secretary,
Revenue and Disaster Management Department,
Government of Tamil Nadu,
Secretariat,
Chennai – 9.
- 2.The Secretary to Government,
Government of Tamil Nadu,
Finance (Pension) Department,
Chennai – 9.
- 3.The Accountant General,
The Accountant General Accounts Entitlements Office,
361, Anna Salai,
Teynampet,
Chennai – 18.
- 4.The District Collector,
Tirunelveli District.
- 5.P.A. To District Collector (General),
District Collector Office,
Tirunelveli District.



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6.The Tahsildar,
Ambasamudram Taluk,
Tirunelveli District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, for issuance of Writ of Certiorarified Mandamus, to call for the records pertaining to the pension order in PPO No.R0129730/REV dated 12.09.2025 passed by the 3rd respondent and quash the same and further direct the respondent No.6 to send fresh pension proposal to 3rd respondent by calculating the service of petitioner from 01.06.1995 as Village Assistant in time scale of pay and till the date of retirement dated 31.10.2025 in the post of Office Assistant accumulating 30 years and 5 months of pensionable service, as per the dictum laid down in W.A.(MD)No.1200 of 2025 and followed in W.P.(MD)No.9118 of 2025.

For Petitioner : Mr.T.S.Mohamed Mohideen

For R-1 & R-2 : Mr.M.Dinesh Hari Sudarsan
R-4 to R-6 Counsel for Government of Tamil Nadu
(Civil Side)

For R-3 : Mrs.M.Mahalakshmi

ORDER

Heard Mr.T.S.Mohamed Mohideen, learned Counsel for the Petitioner, Mr.M.Dinesh Hari Sudarsan, learned Counsel for Government of Tamil Nadu for respondents 1, 2, 4 to 6 and Mrs.M.Mahalakshmi, learned Counsel for the 3rd Respondent.



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WEB COPY 2. This Writ Petition has been filed for issuance of Writ of Certiorarified Mandamus, challenging the pension order in PPO No.R0129730/REV dated 12.09.2025 passed by the 3rd respondent and further direct the respondent No.6 to send fresh pension proposal to 3rd respondent by calculating the service of petitioner from 01.06.1995 as Village Assistant in time scale of pay and till the date of retirement dated 31.10.2025 in the post of Office Assistant accumulating 30 years and 5 months of pensionable service, as per the dictum laid down in W.A.(MD)No.1200 of 2025 and followed in W.P.(MD)No.9118 of 2025.

3. The petitioner herein was initially appointed as Village Assistant at Urkadu Village, Ambasamudram, Tirunelveli District, on 21.06.1987, and his service was regularized on 01.06.1995. Thereafter, on 19.11.2021, he was promoted as Office Assistant and retired from service on attaining the age of superannuation on 31.10.2025. Thereafter, the pension and all other terminal benefits payable to the petitioner were settled without taking into consideration the service rendered by him from 01.06.1995 to 19.11.2021 as Village Assistant. Hence, the



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petitioner is stated to have made a request before the respondents seeking to count the said period of service for pensionary benefits. However, without taking into consideration the service rendered by the petitioner from 01.06.1995 to 19.11.2021, the respondents settled his pensionary benefits. Therefore, the petitioner has made the present claim before the respondents for counting the service rendered by him from 01.06.1995 to 19.11.2021 together with the service rendered by him as Office Assistant for the purpose of fixation of pension and other terminal benefits.

4. Today, when the matter is taken up for consideration, it is brought to the notice of this Court by the learned counsel on both sides that the very same issue has already fallen for consideration before this Court in W.P.(MD) No.13181 of 2025, and this Court, vide order dated 05.03.2026, allowed the claim of similarly situated persons. This Court, in the said order, took note of the orders passed by the learned Division Bench of this Court, which has, time and again, held as under:

“9. Having perused the orders passed by the learned Division Bench of this Court, wherein the case of persons whose services were brought into the regular time scale



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through G.O(Ms)No.625, Revenue Department, dated 06.07.1995 had fallen for consideration, the learned Division Bench of this Court, after having taken into consideration all the contentions raised on behalf of the State, arrived at the conclusion that the writ petitioners therein are entitled to count the service rendered by them as Village Assistant in full for the purpose of fixation of their pension. The relevant paragraph from the said order of the learned Division Bench reads thereunder:

“9. In view of the submission of Thiru.M.Ajmal Khan, learned Additional Advocate General, on instructions, from the Government, the service of the Village Assistants from the date of the appointment could not be termed as “non-provincialised” service, this Court is inclined to hold that, in all subject matters of these cases before this Court where a Village Assistant is promoted as Village Administrative Officer, the full service rendered as Village Assistant after 01.06.1995 as well as Village Administrative Officer shall be taken into account for computing the pensionary benefits. In view of the above finding that Village Assistant service is not termed as non provincialised service, reliance of the G.O.Ms.No.73 Revenue and Disaster management [Ser.8(1)] Department, dated 13.02.2025, subject to the result of these Writ Appeals need not be considered. Therefore, the writ Court had correctly directed the Government to reckon the writ petitioner's full regular service rendered as a Village Assistant and Village Administrative Officer as qualifying service and this Court finds no merit in these appeals and all the appeals are liable to be dismissed.”



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10. *From the perusal of the order of the learned Division Bench of this Court and the averments made in the present Writ Petition as well as the counter affidavit, this Court is convinced that the case of the petitioner herein is identical to the case dealt with by the learned Division Bench of this Court even on factual aspects and therefore the petitioner herein cannot be denied the very same benefit which was upheld by the learned Division Bench of this Court.*

11. *In the light of the above, the impugned proceedings of the third respondent, dated 25.06.2024 cannot be sustained and the same is hereby quashed. Consequently, the respondents are directed to calculate the service rendered by the petitioner from 01.06.1995 to 25.11.2021 as Village Assistant for the purpose of fixation of his pension, together with the service rendered by the petitioner as Village Administrative Officer and issue orders afresh. The monetary benefits payable to the petitioner shall also be calculated and paid to him as expeditiously as possible, at any rate within period of eight weeks from the date of receipt of a copy of this order."*

5. In the light of the above, the claim of the petitioner herein to count the service rendered by him from 01.06.1995 to 31.10.2025 cannot be denied and the impugned proceedings of the third respondent dated



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12.09.2025 cannot be sustained and the same is hereby quashed.

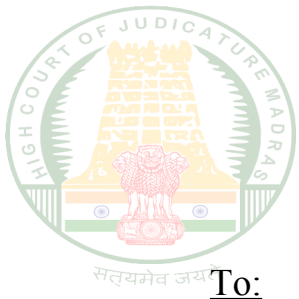
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Consequently, the respondents are directed to calculate the service rendered by the petitioner from 01.06.1995 to 19.11.2021 as Village Assistant for the purpose of fixation of pension together with service rendered by the petitioner as Office Assistant till his retirement 31.10.2025 for the purpose of fixation of pension, and to pass fresh orders fixing the pension and other terminal benefits payable to the petitioner. The monetary benefits payable to the petitioner shall also be calculated and paid to him as expeditiously as possible, at any rate within a period of 8 weeks from the date of receipt of a copy of this order.

6. In view of the above, the Writ Petition is **allowed**. There shall be no order as to costs. Consequently, the connected miscellaneous petition stand closed.

06.07.2026

Index :Yes / No
Internet :Yes / No
NCC :Yes / No
Nsr



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Tirunelveli District.
- 4.The District Treasury Officer,
Thanjavur,
Thanjavur District.



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MUMMINENI SUDHEER KUMAR, J.

Nsr

Order made in
W.P.(MD)No.18739 of 2026

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