

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 20.04.2015

CORAM:

THE HON'BLE MR. JUSTICE T.RAJA

W.P.No.11399 of 2015

N.Sathiyanarayanan

... Petitioner

.. Vs ..

1. The Government of Tamil Nadu,
Rep. by its Secretary to Government,
Revenue Department,
Secretariat, Chennai - 600 009.
 2. The Commissioner of Revenue Administration,
Chepauk, Chennai - 600 005.
 3. The District Collector,
Krishnagiri.
- Respondents

Writ petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus, directing the respondents to grant minimum pension to the petitioner in the post of Village Administrative Officer in the light of the orders passed in W.P.No.3075 of 2009, dated 27.10.2009 and G.O.Ms.No.148, Revenue Department [Service 8(2)] Department, dated 24.04.2011 by considering his representation dated 14.06.2013 with all consequential monetary benefits within a period that may be stipulated by this Court.

For Petitioner : Mr.S.Mani

For Respondents : Mr.V.Jayaprakash Narayanan,
Special Government Pleader

ORDER

Heard Mr.S.Mani, learned counsel appearing for the petitioner and Mr.V.Jayaprakash Narayanan, learned Special Government Pleader, appearing for the respondents.

2. The prayer in the writ petition is for issuance of a writ of mandamus directing the respondents to grant minimum pension to the petitioner in the post of Village Administrative Officer, in the light of the order passed in W.P.No.3075 of 2009, dated 27.10.2009 and as per G.O.Ms.No.148, Revenue Department [Service 8 (2)] Department, dated 24.04.2011, by considering his

representation dated 14.06.2013 with all consequential monetary benefits within a time frame.

3. The case of the petitioner is that he was appointed as Village Karnam on 15.02.1971 and was working in Ayanperaiyur Village, till 14.11.1980, the date on which the post of Village Karnam was abolished by promulgating an ordinance by the Government of Tamil Nadu. After abolition of the post of Village Karnam on 14.11.1980, G.O.Ms.No.756, Revenue Department, granting minimum pension to the Village Administrative Officers, was issued by the Government on 17.08.1993. Thereafter, the petitioner was appointed by the Government as Village Administrative Officer and he joined the post on 04.04.2001. The petitioner retired from the post of Village Administrative Officer on attaining the age of superannuation on 30.06.2006.

4. Now, the grievance of the petitioner is that the Government also passed an order in G.O.Ms.No.148, Revenue Department [Service 8(2)] Department, dated 20.04.2011, wherein, it was stated that those who were re-appointed as Village Administrative Officers are eligible for pension not from the date of their re-appointment in the post of Village Administrative Officer, but from 14.11.1980, the date on which they were ousted from the post of Village Karnam. It is further stated that similarly placed persons were also given benefit whereas the claim of the petitioner is yet to be considered because of non-regularisation of his services. In this regard, the petitioner has submitted a representation dated 14.06.2013 to the respondents for the grant of minimum pension to him in the post of Village Administrative Officer. But till date, the respondents have not shown any sign of disposal of the said representation and hence, the petitioner came forward to file this writ petition.

5. This Court, taking into consideration the limited scope of prayer sought for by the petitioner and without going into the merits of the matter, directs the first respondent to consider the representation dated 14.06.2013 submitted by the petitioner and pass orders, in the light of the order passed in W.P.No.3075 of 2009, dated 27.10.2009 and as per G.O.Ms.No.148, Revenue Department [Service 8(2)] Department, dated 20.04.2011, within a period of two months from the date of receipt of a copy of this order.

6. This Writ Petition is disposed of accordingly. No costs.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

Jr1

To

1. The Secretary to Government,
The Government of Tamil Nadu,
Revenue Department,
Secretariat,
Chennai - 600 009.
2. The Commissioner of Revenue Administration,
Chepauk, Chennai - 600 005.
3. The District Collector,
Krishnagiri.

1 cc to Mr. S.Mani, Advocate, SR.No.21306
1 cc to Government Pleader, Sr.No21511

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sr(co)
pmk.21.5.2015



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