

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 20.08.2015

CORAM:

THE HONOURABLE MR. JUSTICE M.SATHYANARAYANAN

Writ Petition No.23926 of 2015

K.C.Venkatarama Naidu

... Petitioner

vs.

1. The State of Tamil Nadu
Rep. By Secretary to Government
Revenue Department
Fort St. George
Chennai - 9
 2. The Principal Commissioner and
Commissioner for Revenue Administration
Chepauk
Chennai - 600 005
 3. The District Revenue Officer
Krishnagiri
Krishnagiri District
- ... Respondents

Writ Petitions filed under Article 226 of the Constitution of India, for the issuance of a writ of mandamus directing the respondents to sanction and pay pension payable to the petitioner in the category of Village Administrative Officer with all terminal benefits and arrears.

For Petitioner : Mr.A.K.R.Ravi

For Respondents : Mr.V.Subbiah
Special Govt. Pleader

O R D E R

By consent, the writ petition itself is taken up for final disposal.

2. The petitioner would state that hereditary Village Officers/Head man/Karnam are used to be incharge of the Administrative Officers relating to villages and the said post was abolished with effect from 14.11.1980 by the ordinance passed by the Government of Tamil Nadu and it was put to challenge and ultimately, as per the consent given by the State Government before the Hon'ble Supreme Court of India, a State Level Screening Committee was constituted to appoint ex-part time Village Administrative Officers, who had minimum general qualification as S.S.L.C as on the date of abolition. Subsequently, the Government has issued Government Order in G.O.Ms.No.1287, dated 06.07.1988 to the effect that ex-part Village Administrative Officers who had acquired minimum qualification subsequent to 20.02.1982 are also eligible for appointment and accordingly, the petitioner was appointed as a Village Administrative Officer on 08.11.2000 and his services were regularized on 26.03.2004. The petitioner, on attaining the age of Superannuation, retired from service on ***31.05.2009**. Since the petitioner had put in less than 10 years of minimum qualifying service, he submitted several representations to the respondent praying for sanction of minimum pension and the last of such representation was submitted on 15.07.2015 and though it was received and acknowledged on 21.07.2015, no orders have been passed. Hence, the petitioner has come forward to file this writ petition.

3. Mr.A.K.Ravi, the learned counsel appearing for the petitioner has drawn the attention of this Court to various Government Orders, more particularly, G.O.Ms.No.158 (Serv.8(2) Rev. Department), dated 08.04.2015. As per the said Government Order, the relaxation was given as to the payment of minimum pension to the persons, who were appointed prior to 01.04.2003 and since the petitioner came to be appointed as Village Administrative Officer on 08.11.2000, his case has to be considered in accordance with the said Government Order and hence, prays for appropriate orders.

4. The Court heard the submissions of Mr.V.Subbiah, the learned Special Government Pleader, who accepts notice on behalf of the respondents.

5. In the light of the above facts and circumstances, this Court directs the first respondent to consider the representation of the petitioner dated 15.07.2015 on merits and in accordance with law, after taking note of G.O.Ms.No. 158 (Serv.8(2) Rev. Department), dated 08.04.2015 and pass orders within a period of ten weeks from the date of receipt of a copy of this order and communicate the decision to the petitioner.

6. The writ petition is disposed of accordingly. No costs.

Sd/-
Asst.Registrar (CS IV)
9.9.2015

*Corrected as per order dated 2219/2015
and made in W.P.No.23926/15.
sd/-
Assistant Registrar
1.10.2015

/true copy/

Sub Asst. Registrar

gpa

To

1.The Secretary to Government
Revenue Department
Fort St. George
Chennai - 9

to be unsubstituted
the order already
despatched on
21.9.15

2. The Principal Commissioner and
Commissioner for Revenue Administration
Chepauk
Chennai - 600 005

3. The District Revenue Officer
Krishnagiri
Krishnagiri District

1 cc to Government Pleader, Sr. 44462
1 cc to Mr.A.K. R. Ravi, Advocate, sr. 51760

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pmk.01.10.2015