

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.10.2015

CORAM

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

W.P.No.34882 of 2015

T.A.Sethupathy Ramalingam

... Petitioner

Vs.

1. Government of Tamil Nadu,
Represented by Secretary to Government,
Finance (Pension) Department,
Secretariat, Chennai-600 009.
2. Government of Tamil Nadu,
Represented by Secretary to Government,
Revenue Department Secretariat, Chennai-9.
3. The Principal Accountant - General (A&E)
Tamilnadu,
No.361, Anna Salai,
Chennai-600 018.
4. The District Collector,
Namakkal District,
Namakkal.
5. The Revenue Divisional Officer,
Tiruchengode,
Namakkal District.

... Respondents

Prayer : Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the Respondents to extend the benefit of G.O.Ms.No.408, Finance (Pension) Department, dated 25.08.2009 to the petitioner counting half of his services from 17.11.1967 to 14.11.1980 along with regular service from 24.12.1990 to 31.07.1999 as Village Administrative Officer and on that basis revise his pensionary within a time frame.

For Petitioner : Mr.M.Ravi
for M/s.M.Sasi Kumar

For Respondents : Mr.S.Gunasekaran
for R1, R2, R4 and R5
Government Advocate
Mr.V.Vijayashankar for R3

O R D E R

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

2.The petitioner was appointed as Village Headman on 17.11.1967 and served in that capacity till 14.11.1980 and was relieved from service. He was given appointment as Village Administrative Officer on 24.12.1990 and retired from service on 31.07.1999, on attaining the age of superannuation and in the capacity as Village Administrative Officer he has put in 8 years and 7 months of service and he was given minimum pension of Rs.1275/- per month.

3.The grievance expressed by the petitioner is that half of the service rendered by him as Village Headman between 17.11.1967 and 14.11.1980 has to be taken into consideration for reckoning the total qualifying service for pension in the light of the G.O.Ms.No.408, Finance (Pension) Department dated 25.08.2009 and since it has not been done, submitted a representation dated 06.04.2015 to the respondents and since no orders have been passed, came forward to file this writ petition.

4.Heard the submissions of Mr.M.Ravi, learned counsel appearing for the petitioner, Mr.S.Gunasekaran, learned Government Advocate who accepts notice on behalf of the respondents 1, 2, 4 and 5 and Mr.V.Vijayashankar, learned counsel who accepts notice on behalf of the third respondent.

5.Though the petitioner prayed for the larger relief, this Court in the light of the above facts and circumstances and without going into the merits of the same, directs the first respondent to consider and dispose of the petitioner's representation dated *06.04.2015 on merits and in accordance with law and pass orders within a period of eight weeks from the date of receipt of a copy of this order and communicate the decision taken, to the petitioner.

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

Sd/-
Asst.Registrar (CS V)
Dated : 28.11.2015

***Amended as per Order, dated
10.06.2015 made in W.P.No.34882/15
Sd/-Assistant Registrar(CS V)
Dated : 28.06.2016**

/true copy/

Sub Asst. Registrar

pri

To

1. The Secretary to Government,
Government of Tamil Nadu,
Finance (Pension) Department,
Secretariat, Chennai-600 009.

To be Substituted

2. The Represented by Secretary
to Government,
Government of Tamil Nadu,
Revenue Department Secretariat,
Chennai-9.

to the Order already

3. The Principal Accountant - General (A&E)
Tamilnadu,
No.361, Anna Salai,
Chennai-600 018.

despatched on

31.12.2015

4. The District Collector,
Namakkal District,
Namakkal.

5. The Revenue Divisional Officer,
Tiruchengode,
Namakkal District.

+1 cc to M/s.Ravi, Advocate, sr.31265

+1 cc to Government Pleader, sr.60052

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ad co

kra 27.11.2015

CA(28.06.2016)

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