

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.06.2017

Coram

The Hon'ble Mr. Justice HULUVADI G.RAMESH
and

The Hon'ble Mr. Justice RMT.TEEKAA RAMAN

Writ Appeal No.571 of 2017 and
C.M.P No.8103 of 2017

1. The Government of Tamilnadu,
Rep. by its Secretary to Government,
Rural Development and Panchayat Raj Department,
Fort St.George, Chennai - 600 009.
 2. The Commissioner of Rural Development
and Panchayat Raj,
Panagal Building, Saidapet,
Chennai - 15.
 3. The District Collector,
(Panchayat Development Section),
Tirunelveli District, Tirunelveli. ... Appellants
- Vs-
1. P.Rajiah
 2. The Principal Accountant General of Tamilnadu
(Accounts & Entitlements)
361, Anna Salai, Chennai - 18. ... Respondents

Prayer: This Writ Appeal is filed under clause 15 of Letter Patent Appeal, praying to set aside the order passed in W.P.No.12919 of 2013, dated 23.09.2014 on the file of this Court.

W.P.No.12919 of 2013:

Petition filed under Article 226 of the constitution of India to issue a Writ of Certiorarified Mandamus or any other Writ or Order or Direction, like nature, to call for the records pertaining to order dated 19.11.2012 bearing No.Pen 2/V/40202480/Rn/12-13/ADK/Misc of the 4th respondent herein and quash the same and further direct the respondents to count 50% of the service rendered in the post of part time Panchayat Clerk by the petitioner between 01.08.1963 and 27.08.2001 together with regular service for the purpose of pension.

For Appellants : Mrs.A.Srijayanthi,
Special Government Pleader

For Respondents : Mr.V.Suthakar

J U D G M E N T

(Judgment of the Court was delivered by RMT.TEEKAA RAMAN)

By consent of both parties, the Writ Appeal is taken up for final disposal.

2.Both the learned counsel have represented that the subject matter of this Writ Appeal is squarely covered by the order made in Writ Appeal No.612 of 2016, dated 24.06.2017.

3.After perusing the records, we hold that 50% of the services rendered by the writ petitioner as Part Time Panchayat Clerk should be taken into account while calculating pension and directing the concerned authority to calculate and issue order granting pension and other benefits, within a period of three months and to implement the same, within a period of one month thereafter.

4. The Writ Appeal is disposed of accordingly. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

asi/jbm

To

The Principal Accountant General of Tamilnadu
(Accounts & Entitlements)
361, Anna Salai, Chennai - 18.

+1cc to Mr.V.Suthakar, Advocate, S.R.No.39603
+1cc to the Government Pleader, S.R.No.39401

W.A.No.571 of 2017 and
CMP No.8103 of 2017

SV(CO)
RS(20/06/2017)