

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.12.2018

CORAM

THE HON'BLE DR.JUSTICE S.VIMALA

W.P.No.33416 of 2018

M.V.Ayyadurai

.... Petitioner

Vs

- 1.The Secretary to Government,
Revenue Department
Fort St.George, Secretariat,
Chennai 600 009.
 - 2.The Commissioner for Revenue
Administration, Chepauk
Chennai 600 005.
 - 3.The District Collector, Ariyalur
District, Ariyalur.
 - 4.The Accountant General of Tamilnadu
Teynampet, Chennai 600 018.
- Respondents

For Petitioner : M/s.M.Gnanasekar

For Respondents 1 to 3 : Mr.R.S.Selvam, Government Advocate

For Respondent No.4 : No appearance

Prayer : Writ Petition filed under Article 226 of the Constitution of India seeking a writ of Mandamus directing the respondents to count half of the past services rendered by the petitioner as Village Karnam from 11.5.1957 to 31.8.1982 and accordingly calculate the petitioner's pension and pay the pensionary benefits as admissible to the petitioner, within the time frame fixed by this Court and pass such further order to meet the ends of justice and thus render justice.

O R D E R

This writ petition has been filed, seeking direction to the respondents to count half of the past services rendered by the petitioner as Village Karnam from 11.05.1957 to 31.08.1982 and accordingly calculate the petitioner's pension and pay the pensionary benefits as admissible to the petitioner within the time frame fixed by the Honourable Court.

2. The petitioner was appointed as Village Karnam in Parukkal village on 11.05.1957. On 06.07.1982, the Government abolished the post of Village Karnam and the petitioner was absorbed as Village Administrative Officer on 01.09.1982. He attained superannuation on 30.06.1994. On 03.11.2018, the petitioner gave a representation to the respondents to count half of the past services rendered by him as Village Karnam from 11.05.1957 to 31.08.1982 and accordingly calculate the petitioner's pension and pay the pensionary benefits as admissible to the petitioner.

3. Learned counsel for the petitioner pointed out that the petitioner along with his representation has enclosed an earlier order of this Court in W.P.No.10252 of 2012 dated 16.11.2017, wherein the respondents were directed to count half of the services rendered by the petitioner therein as Village Karnam for calculation of pensionary benefits. However, as the representation was not considered, this writ petition has been filed.

4. Mr.R.S.Selvam, learned Government Advocate takes notice for the respondents 1 to 3 and submits that the representation of the petitioner would be considered in accordance with law.

5. It is not in dispute that the decision of this court in W.P.No.10252 of 2012 cited supra, is applicable to the facts and circumstances of this case. Hence, the respondents are directed to consider the representation of the petitioner dated 03.11.2018, in the light of the orders passed in W.P.No.10252 of 2012, and pass orders thereon, within a period of eight weeks from the date of receipt of a copy of this order. The writ petition is disposed of accordingly. No costs.

Sd/-

Assistant Registrar

//True copy//

Sub Assistant Registrar

kst

To

1.The Secretary to Government,
Revenue Department
Fort St.George,Secretariat,
Chennai 600 009.

2.The Commissioner for Revenue
Administration, Chepauk
Chennai 600 005.

3.The District Collector, Ariyalur
District, Ariyalur.

4.The Accountant General of Tamilnadu
Teynampet, Chennai 600 018.

+1cc to M/s.M.Gnanasekar, Advocate SR.No.87192

+1cc to Government Pleader SR.No.87881

W.P.No.33416 of 2018

RK(CO)
GMY(22/01/2019)



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