

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :13.09.2019

CORAM

THE HON'BLE MR.JUSTICE M.DHANDAPANI

W.P.No. 27210 of 2019

R.Rangaraj

..Petitioner

Vs

1. The Government of Tamil Nadu
Rep by its Principal Secretary to Government,
Rural Development & Panchayat Raj Department,
Fort St George, Chennai 600 009.

2. The Principal Secretary to Government,
Finance Department,
Fort St George, Chennai 600 009.

3. The Commissioner
Office of the Rural Development & Panchayat Raj Department,
Panagal Building,
Saidapet, Chennai 600 015.

4. The District Collector,
Coimbatore District.

.. Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ order or direction in the nature of writ of Mandamus, directing the respondents to consider the representation of the petitioner dated 08.07.2019 by counting the services rendered as part-time Panchayat Clerk along with the regular service rendered for the purpose of pension for the original period of appointment as Panchayat Clerk from 01.07.1980 to 31.12.1990 i.e., for the period of 10 years 5 months and 30 days as per the G.O.Ms. No. 111, RD & LA Department dated 14.03.2016 and G.O.Ms.No. 368, RD & LA Department dated 18.08.2016.

For Petitioner	: Mr.B.Ganesh Babu
For Respondents	: Mr.A.Srijeyanthi, AGP.

O R D E R

The prayer sought for herein in this Writ Petition is for issuance of a Writ of Mandamus, directing the respondents to consider the representation of the petitioner dated 08.07.2019, by counting the services rendered as part-time Panchayat Clerk along with the regular service rendered for the purpose of pension for the original period of appointment as Panchayat Clerk from 01.07.1980 to 31.12.1990 i.e., for the period of 10 years 5 months and 30 days as per the G.O.Ms. No. 111, RD & LA Department dated 14.03.2016 and G.O.Ms.No. 368, RD & LA Department dated 18.08.2016.

2. The case of the petitioner is that the petitioner worked as part-time Panchayat Clerk from 01.07.1980 to 31.12.1990 for the period of 10 years 5 months and 30 days (till the date of regular appointment i.e., on 01.01.1991) along with the regular services rendered by him for the purpose of calculating the pension as per the G.O.Ms.No. 111, RD & LA Department dated 14.03.2016 and the G.O.Ms.No. 368, RD & LA Department dated 18.08.2016. The petitioner was initially appointed as part-time Panchayat Clerk by the Periyayanayakan Palayam Panchayat Union, Coimbatore on 01.07.1980 and subsequently promoted as Panchayat Assistant on consolidated pay and again promoted as Junior Assistant in the same department under regular appointment with the usual time scale pay as on 23.07.1999 and the petitioner continuously worked as Deputy Block Department Officer, Periyayanayakan Palayam Panchayat Union till his superannuation on 30.06.2018.

3. The learned counsel appearing for the petitioner would submit that having no other alternative remedy except to approach this Court under Article 226 of the Constitution of India, the petitioner have filed the present writ petition for seeking appropriate direction by directing the respondents to count the services rendered by him as part-time Panchayat Clerk along with the regular service for the purpose of pension for the original period of appointment as Panchayat Clerk from 01.07.1980 to 31.12.1990 i.e., for the period of 10 years 5 months and 30 days (till the date of his regular appointment as on 01.01.1991) as per the G.O.Ms.No. 111, RD & LA Department dated 14.03.2016 and the G.O.Ms.No. 368, RD & LA Department dated 18.08.2016.

4. The learned counsel for the petitioner would further submit that it would be suffice if this Court issues direction to the respondents to consider the petitioner's representation dated 08.07.2019 within a time frame.

5. Without expressing any opinion on merits, I am inclined to issue a direction to the respondents to dispose of the Writ Petitioner's representation dated 08.07.2019, within a period of twelve weeks from the date of receipt of a copy of this order. With the above direction, the Writ Petition is disposed of. No costs.

Sd/-
Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

kmm

To

1. The Principal Secretary to Government,
Government of Tamil Nadu
Rural Development & Panchayat Raj Department,
Fort St George, Chennai 600 009.
2. The Principal Secretary to Government,
Finance Department,
Fort St George, Chennai 600 009.
3. The Commissioner
Office of the Rural Development & Panchayat Raj Department,
Panagal Building,
Saidapet, Chennai 600 015.
4. The District Collector,
Coimbatore District.

+1cc to Mr.B.Ganesh Babu, Advocate sr.78684
+1cc to Government Pleader SR.NO. 79379

W.P.No. 27210 of 2019

rp(co)
nr 12/11/2019

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