



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 05.08.2019

CORAM:

THE HONOURABLE **MR. JUSTICE S.M.SUBRAMANIAM**

W.P. (MD) No. 6038 of 2015

1.G.Gopalsamy
2.V.Krishnasamy
3.M.Madasamy
4.M.A.Murugan

... Petitioners

Vs.

1.The State of Tamil Nadu,
Rep. by its Principal Secretary to Government,
Rural Development Department,
Chennai.

2.The Commissioner,
Rural Development and Panchayathraj
Department,
Panagal Building,
Saidapet, Chennai-15.

3.The Accountant General,
(Accounts & Entitlements Tamil Nadu),
361, Anna Salai,
Chennai-78.

4.The District Collector,
Office of the Collectorate,
Tirunelveli District,
Tirunelveli.

5.The District Collector,
Office of the Collectorate,
Thoothukudi District,
Thoothukudi.

... Respondents

PRAYER: Writ Petition under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents herein to extend the benefits of G.O.(Ms) 85 Rural Development & Panchayatraj (PA-4) Department dated 11.09.2012 & G.O.(Ms) No.62 Rural Development & Panchayatraj (PA-4) Department dated 27.06.2013 to the petitioners in the light of representation of the petitioners dated 03.03.2014.



For Petitioner : Mr.A.P.Muthupandian
For R1, R2, R4 & R5 : Mr.D.Muruganandham,
Additional Government Pleader
For R3 : Mr.P.Gunasekaran

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ORDER

The relief sought for in the present writ petition is for a direction to direct the respondents to extend the benefit of G.O. (MS)No.85 Rural Development and Panchayat Raj (PA-4) Department, dated 11.09.2012.

2.The learned counsel appearing on behalf of the writ petitioner states that the petitioner was appointed as Rural Welfare Officer Gr-II and deputed to undergo training at Government Training Centre for one year. During the training period, stipend was paid to all the trainees and therefore, the period of training is to be reckoned as duty period for all purpose including the settlement of pension and pensionary benefits.

3.The learned counsel for the petitioner states that the Government has also issued number of orders granting the period as duty in favour of the individuals.

4.The learned Additional Government Pleader appearing on behalf of the respondents 1,2,4 & 5 as well as the learned counsel appearing for the third respondent also states that the Government issued orders granting the training period to be reckoned for the purpose of pensionary benefits. This being the submissions made, the respondents are directed to consider the case of the writ petitioner by verifying his service records as well as the eligibility with reference to the Government Orders in force and pass orders on merits and in accordance with law, within a period of twelve weeks from the date of receipt of a copy of this order. The writ petitioner is at liberty to submit a fresh representation along with the order of this Court setting out all the facts and circumstances.

5.With the above directions, the writ petition stands disposed of. No costs.

Sd/-
Assistant Registrar

/TRUE COPY/

Sub Assistant Registrar



To

1.The Principal Secretary to Government,
Rural Development Department,
Chennai.

2.The Commissioner,
Rural Development and Panchayathraj
Department,
Panagal Building,
Saidapet, Chennai-15.

3.The Accountant General,
(Accounts & Entitlements Tamil Nadu),
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4.The District Collector,
Office of the Collectorate,
Tirunelveli District,
Tirunelveli.

5.The District Collector,
Office of the Collectorate,
Thoothukudi District,
Thoothukudi.

+1 CC to M/s.P.GUNASEKARAN, Advocate (SR-79898[F] dated
06/08/2019)

+1 CC to M/s.A.P.MUTHU PANDIAN, Advocate (SR-79913[F] dated
06/08/2019)

+1 CC to M/s.SPL GP (SR-80305[F] dated 07/08/2019)

W.P. (MD) No. 6038 of 2015
05.08.2019

am

JM/16.08.2019/3P/9C