



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:10.11.2020

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WEB COPY

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P(MD) Nos.15602, 15604, 15606, 15608, 15611, 15613, 15614, 15617,
15619, 15620, 15621, 15623 and 15627 of 2020
and
W.M.P(MD)No.13114 of 2020

A.Arumugapandi	...Petitioner in WP(MD). 15602 of 2020
V.Selvaraj	...Petitioner in WP(MD). 15604 of 2020
K.Veluchamy	...Petitioner in WP(MD). 15606 of 2020
S.Vellapandi	...Petitioner in WP(MD). 15608 of 2020
A.Kandasamy	...Petitioner in WP(MD). 15611 of 2020
P.Krishnasamy	...Petitioner in WP(MD). 15613 of 2020
S.Ramaiah	...Petitioner in WP(MD). 15614 of 2020
M.Vanamoorthi	...Petitioner in WP(MD). 15617 of 2020
S.Rajendran	...Petitioner in WP(MD). 15619 of 2020
V.Marisamy	...Petitioner in WP(MD). 15620 of 2020
P.Malaiyandi	...Petitioner in WP(MD). 15621 of 2020
P. Appanasamy	...Petitioner in WP(MD). 15623 of 2020
S.Ramachandran	...Petitioner in WP(MD). 15627 of 2020

- Vs. -

1. State of Tamil Nadu
Rep. by its Addl.Chief Secretary to the Government,
Revenue and Disaster Management Department,
Sevices Wing, St.George Fort,
Secretariat, Chennai - 600 009.
2. The Addl.Chief Secretary/ Commissioner of Revenue Administration
Ezhilagam, Chepauk, Chennai - 600 005.
3. The Accountant General (A & E),
Office of the Accountant General,
Anna Salai, Chennai - 600 018.
4. The District Collector,
Tuticorin District , Tuticorin.



5. The Tahsildar
Kovilpatti Taluk,
Kovilpatti, Tuticorin District

...Respondents in All the W.P.s

WP COPY

Prayer in WP(MD). 15602 of 2020 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to issue a writ of Certiorarified Mandamus calling for the records pertaining to the impugned letter of the 1st respondent in Letter No.12025/Ser8(1)/2019-1, dated 11-04-2019 and quash the same as illegal and consequently direct the respondents count 50 percent of the petitioner's service as village Assistant on consolidated pay basis from 24-08-1981 to 31-05-1995 along with his regular service from 01-06-1995 to 31-05-2016 and sanction full pension in Terms of Rule-11 of the Tamilnadu pension Rule, 1978 and pay arrears of full pension within time frame as fixed by this Honourable Court and for other reliefs.

Prayer in WP(MD). 15604 of 2020 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to issue a writ of Certiorarified Mandamus calling for the records pertaining to the impugned letter of the 1st respondent in Letter No.12025/Ser8(1)/2019-1, dated 11-04-2019 and quash the same as illegal and consequently direct the respondents count 50 percent of the petitioner's service as village Assistant on consolidated pay basis from 13-08-1990 to 31-05-1995 along with his regular service from 01-06-1995 to 31-07-2011 and sanction full pension in Terms of Rule-11 of the Tamilnadu pension Rule, 1978 and pay arrears of full pension within time frame as fixed by this Honourable Court and for other reliefs.

Prayer in WP(MD). 15606 of 2020 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to issue a writ of Certiorarified Mandamus calling for the records pertaining to the impugned letter of the 1st respondent in Letter No.12025/Ser8(1)/2019-1, dated 11-04-2019 and quash the same as illegal and consequently direct the respondents count 50 percent of the petitioner's service as village Assistant on consolidated pay basis from 08-12-1982 to 31-05-1995 along with his regular service from 01-06-1995 to 31-05-2017 and sanction full pension in Terms of Rule-11 of the Tamilnadu pension Rule, 1978 and pay arrears of full pension within time frame as fixed by this Honourable Court and for other reliefs.

Prayer in WP(MD). 15608 of 2020 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to issue a writ of Certiorarified Mandamus calling for the records pertaining to the impugned letter of the 1st respondent in Letter No.12025/Ser8(1)/2019-1, dated 11-



04-2019 and quash the same as illegal and consequently direct the respondents count 50 percent of the petitioner's service as village Assistant on consolidated pay basis from 03-11-1988 to 31-05-1995 along with his regular service from 01-06-1995 to 30-04-2016 and sanction full pension in Terms of Rule-11 of the Tamilnadu pension Rule, 1978 and pay arrears of full pension within time frame as fixed by this Honourable Court and for other reliefs.

Prayer in WP(MD). 15611 of 2020 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to issue a writ of Certiorarified Mandamus calling for the records pertaining to the impugned letter of the 1st respondent in Letter No.12025/Ser8(1)/2019-1, dated 11-04-2019 and quash the same as illegal and consequently direct the respondents count 50 percent of the petitioner's service as village Assistant on consolidated pay basis from 16-04-1981 to 31-05-1995 along with his regular service from 01-06-1995 to 31-05-2016 and sanction full pension in Terms of Rule-11 of the Tamilnadu pension Rule, 1978 and pay arrears of full pension within time frame as fixed by this Honourable Court and for other reliefs.

Prayer in WP(MD). 15613 of 2020 :

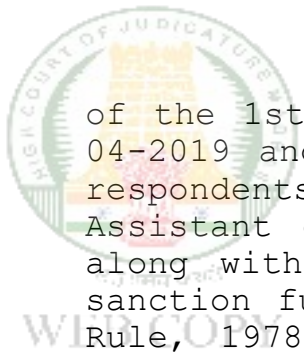
Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to issue a writ of Certiorarified Mandamus calling for the records pertaining to the impugned letter of the 1st respondent in Letter No.12025/Ser8(1)/2019-1, dated 11-04-2019 and quash the same as illegal and consequently direct the respondents count 50 percent of the petitioner's service as village Assistant on consolidated pay basis from 05-12-1981 to 31-05-1995 along with his regular service from 01-06-1995 to 28-02-2018 and sanction full pension in Terms of Rule-11 of the Tamilnadu pension Rule, 1978 and pay arrears of full pension within time frame as fixed by this Honourable Court and for other reliefs.

Prayer in WP(MD). 15614 of 2020 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to issue a writ of Certiorarified Mandamus calling for the records pertaining to the impugned letter of the 1st respondent in Letter No.12025/Ser8(1)/2019-1, dated 11-04-2019 and quash the same as illegal and consequently direct the respondents count 50 percent of the petitioner's service as village Assistant on consolidated pay basis from 11-06-1985 to 31-05-1995 along with his regular service from 01-06-1995 to 31-01-2017 and sanction full pension in Terms of Rule-11 of the Tamilnadu pension Rule, 1978 and pay arrears of full pension within time frame as fixed by this Honourable Court and for other reliefs.

Prayer in WP(MD). 15617 of 2020 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to issue a writ of Certiorarified Mandamus calling for the records pertaining to the impugned letter



of the 1st respondent in Letter No.12025/Ser8(1)/2019-1, dated 11-04-2019 and quash the same as illegal and consequently direct the respondents count 50 percent of the petitioner's service as village Assistant on consolidated pay basis from 24-06-1981 to 31-05-1995 along with his regular service from 01-06-1995 to 30-06-2015 and sanction full pension in Terms of Rule-11 of the Tamilnadu pension Rule, 1978 and pay arrears of full pension within time frame as fixed by this Honourable Court and for other reliefs.

Prayer in WP(MD). 15619 of 2020 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to issue a writ of Certiorarified Mandamus calling for the records pertaining to the impugned letter of the 1st respondent in Letter No.12025/Ser8(1)/2019-1, dated 11-04-2019 and quash the same as illegal and consequently direct the respondents count 50 percent of the petitioner's service as village Assistant on consolidated pay basis from 03-02-1989 to 31-05-1995 along with his regular service from 01-06-1995 to 31-05-2018 and sanction full pension in Terms of Rule-11 of the Tamilnadu pension Rule, 1978 and pay arrears of full pension within time frame as fixed by this Honourable Court and for other reliefs.

Prayer in WP(MD). 15620 of 2020 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to issue a writ of Certiorarified Mandamus calling for the records pertaining to the impugned letter of the 1st respondent in Letter No.12025/Ser8(1)/2019-1, dated 11-04-2019 and quash the same as illegal and consequently direct the respondents count 50 percent of the petitioner's service as village Assistant on consolidated pay basis from 11-12-1979 to 31-05-1995 along with his regular service from 01-06-1995 to 30-06-2016 and sanction full pension in Terms of Rule-11 of the Tamilnadu pension Rule, 1978 and pay arrears of full pension within time frame as fixed by this Honourable Court and for other reliefs.

Prayer in WP(MD). 15621 of 2020 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to issue a writ of Certiorarified Mandamus calling for the records pertaining to the impugned letter of the 1st respondent in Letter No.12025/Ser8(1)/2019-1, dated 11-04-2019 and quash the same as illegal and consequently direct the respondents count 50 percent of the petitioner's service as village Assistant on consolidated pay basis from 01-12-1977 to 31-05-1995 along with his regular service from 01-06-1995 to 30-04-2015 and sanction full pension in Terms of Rule-11 of the Tamilnadu pension Rule, 1978 and pay arrears of full pension within time frame as fixed by this Honourable Court and for other reliefs.

Prayer in WP(MD). 15623 of 2020 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to issue a writ of Certiorarified



Mandamus calling for the records pertaining to the impugned letter of the 1st respondent in Letter No.12025/Ser8(1)/2019-1, dated 11-04-2019 and quash the same as illegal and consequently direct the respondents count 50 percent of the petitioner's service as village Assistant on consolidated pay basis from 03-11-1987 to 31-05-1995 along with his regular service from 01-06-1995 to 31-05-2018 and sanction full pension in Terms of Rule-11 of the Tamilnadu pension Rule, 1978 and pay arrears of full pension within time frame as fixed by this Honourable Court and for other reliefs.

Prayer in WP(MD). 15627 of 2020 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to issue a writ of Certiorarified Mandamus calling for the records pertaining to the impugned letter of the 1st respondent in Letter No.12025/Ser8(1)/2019-1, dated 11-04-2019 and quash the same as illegal and consequently direct the respondents count 50 percent of the petitioner's service as village Assistant on consolidated pay basis from 06-10-1980 to 31-05-1995 along with his regular service from 01-06-1995 to 31-05-2016 and sanction full pension in Terms of Rule-11 of the Tamilnadu pension Rule, 1978 and pay arrears of full pension within time frame as fixed by this Honourable Court and for other reliefs.

For Petitioner : Mr.J.Lawrance
(in all WPs)

For R1,R2,R4 & R5 : Mr.B.Bhagavathi
Government Advocate

For R3 : Mr.P.Gunasekaran
Standing Counsel

COMMON ORDER

The petitioners are seeking to quash the Impugned Letter of the first respondent in Letter No.12025/Ser8(I)/2019-1, dated 11.04.2019 and consequently directing respondents to count 50% of the petitioners service as Village Assistant on consolidated pay basis along with their regular service.

2.Since the issues involved in these Writ Petitions are one and the same and therefore, these Writ Petitions are heard together and disposed of by way of this common order.

3. Heard the learned Counsel for the petitioners and the learned Government Advocate, who takes notice for the respondents 1,2,4 & 5 and the learned Standing Counsel appearing for the third respondent. By consent, these writ petitions are taken up for disposal at the admission stage itself.



4. Though these writ petitions are filed seeking a larger relief, when the matters are taken up for hearing, the learned Counsel appearing for the petitioners confines the same to the extent that the representations of the petitioners may be directed to be considered by the respondents within a time frame as fixed by this Court.

5. The learned Government Advocate appearing for the respondents 1,2,4 & 5 has no serious objection in granting such relief to the petitioner.

6. Considering the nature of the relief now sought for by the petitioner, which has not been objected by the learned Government Advocate appearing for the respondents 1,2,4 & 5, this Court, without going into the merits of the case, directs the first respondent to consider the representations of the petitioners dated 26.03.2019 and pass appropriate orders on merits and in accordance with law, after affording an opportunity of hearing to the petitioners within a period of twelve weeks from the date of receipt of a copy of this order.

7. While taking the matters for consideration, the first respondent shall also look into the Full Bench Decision in **W.A.No.158 of 2016 dated 03.12.2019 reported in 2020(2) MLJ 369 (Government of Tamil Nadu, represented by Secretary to Government, Public Works Department, Secretariat, Chennai and others vs. R.Kaliyamoorthy)**.

8. These Writ Petitions stand disposed of with the above direction. No costs. Consequently, the connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar(CO)

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/ /2020

Sub Assistant Registrar(CS)

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To

1. The Additional Chief Secretary to the Government/
Revenue and Disaster Management Department,
Services Wing, St. George Fort,
Secretariate, Chennai-600 009.



2.The Additional Chief Secretary/
Commissioner of Revenue Administration,
Ezhilagam, Chepauk, Chennai-600 005.

3.The District Collector,
Tuticorin District, Tuticorin.

4.The Tahsildar, Kovilpatti Taluk,
Kovilpatti, Tuticorin District.

5.The Accountant General (A & E),
Office of the Accountant General,
Anna Salai, Chennai - 600 018.

+13 CC to M/s.J.LAWRANCE, Advocate (SR-21691 TO 21703[F] dated
10/11/2020)

+1 CC to M/s.GP (SR-21902[F] dated 11/11/2020)

W.P(MD) Nos.15602, 15604, 15606,
15608, 15611, 15613, 15614,
15617, 15619, 15620, 15621,
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10.11.2020

PK(CO)
TR(26.11.2020) 7P 20C