



WEB COPY

Cont.P.No.607 of 2016

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.01.2021

CORAM

THE HON'BLE MR.JUSTICE R.MAHADEVAN

Contempt Petition No.607 of 2016

A.Sugumaran,
838, Rajiv Gandhi Street,
Keel Puthupakkam Extension,
Sivaji Nagar, Cheyyar,
Thiruvannamalai District

... Petitioner

-Vs-

1.Thiru.Gagandeep Singh Bedi, I.A.S
The State of Tamil Nadu Rep.by its
Secretary to Government
Rural Development and Panchayat
Raj Department
Fort.St.George, Chennai-9.

2.Thiru.Gnanasekaran, I.A.S
The District Collector
Collectorate
Thiruvannamalai District.

3.Thirumt.Snehalatha
The Accountant General
Accounts and Entitlement
Nandhanam, Chennai 18.

... Respondents

Prayer: Petition filed under Section 11 of the Contempts of Court Act, 1971, to punish the respondents for willful disobedience of the Final Order passed in W.P.No.21067 of 2015 dated 14.07.2015.



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For Petitioner :: Mr.V.Ravikumar
For Respondents :: Mr.A.N.Thambidurai
Special Government Pleader

ORDER

The petitioner has come up with this contempt petition for the alleged disobedience of the order of this Court dated 14.07.2015 in W.P.No.21067 of 2015.

2.Today, when the matter was taken up for consideration, the learned Special Government Pleader appearing for the respondents submitted that the issue at hand is no longer *res integra*, in view of the decision of the Full Bench of this Court rendered in WA.No.158 of 2016 etc. batch on 03/12/2019, wherein, in paragraph 45, it has been held as follows:

“45.In the light of the above, we answer the reference as follows:-

i) Those who are freshly appointed on or after 01.04.2003 are not entitled to pension in view of proviso to Rule 2 of Tamil Nadu Pension Rules, 1978 inserted by G.O.Ms.No.259 dated 06.08.2003

(ii) Those government servants/employees appointed prior to 01.04.2003 whether on temporary or permanent basis in terms of Rule 10 (a) (i) of Tamil Nadu State and Subordinate Service Rules will be entitled to get pension as per the Tamil Nadu Pension Rules, 1978.



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(iii) In case, a government employee/servant had also rendered service in non-provincialised service, or on consolidated pay or on honorarium or daily wage basis and if such services were regularised before 01.04.2003, half of such service rendered shall be counted for the purpose of conferment of pensionary benefits.

(iv) Those government servants who were appointed in the aforesaid four categories before the cut off date and later appointed under Rule 10 (a) (i) of Tamil Nadu State and Subordinate Service Rules before 01.04.2003 and absorbed into regular service after 01.04.2003 will not be entitled to count half of their past service for the purpose of determination of qualifying service for pension.

(v) Those government servants who were appointed in the aforesaid four categories before 01.04.2003 but were absorbed in regular service after 01.04.2003 will not be entitled to count half of their past service for the purpose of determination of qualifying service for pension."

3. In view of the above, this Court is of the opinion that nothing survives for adjudication herein. Hence, this Contempt Petition is closed.

SD/-

ASSISTANT REGISTRAR(COMM.CASES)

dna

//Certified to be true copy//

Dated at Madras this the day of 2021.

COURT OFFICER(O.S.)

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GS/22/07/2021

To

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1. The State of Tamil Nadu
Rep.by its Secretary to Government
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Raj Department
Fort.St.George, Chennai-9.
2. The District Collector
Collectorate
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3. The Accountant General
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