



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:25.02.2021

CORAM:

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P. (MD)No.15198 of 2016

K.Karuppaiah

... Petitioner

Vs.

1.The Principal Accountant General
(Accounts and Entitlements)
361, Anna Salai, Teynampettai
Chennai 600 018.

2.The Principle Secretary to the
State Govt. of Tamil Nadu,
Rural Development and
Panchayat Raj Department,
Secretariat,
Chennai-600 009.

3.The Commissioner,
Directorate of Rural Development and
Panchayat Raj Department,
Panagal Building,
Saidapet, Chennai-600 015.

4.The District Collector,
Pudukkottai District.

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents to take into account half of the service of the petitioner from 20.08.1990 to 11.08.2009 for the purpose of pension, arrears and all attendant terminal benefits with 18% of interest p.a.

For Petitioner : Mr.P.Ganapathi Subramanian
For R1 : Mr.P.Gunasekaran
For R2 to R4 : Mr.M.Muthugeethayan
Special Government Pleader

O R D E R

This writ petition is filed to direct the respondents to take into account the half of the service of the petitioner from 20.08.1990 to 11.08.2009 for the purpose of pension, arrears and all attendant terminal benefits with 18% of interest p.a.

2.The case of the petitioner is that he joined as Panchayat Clerk on 20.08.1990 and worked as part time Panchayat Clerk till



11.08.2009. Thereafter, he was promoted as Junior Assistant on 12.08.2009 and subsequently, he was promoted to the post of Rural Welfare Officer, Grade-II and retired from service on 30.06.2014. Further, it is averred that as per G.O.Ms.No.437, Finance (Pension) Department, dated 23.06.1988, half of the service paid from contingencies should be considered with regular service for pension. This Government Order is applicable for the employees of the local bodies. In order to avail such benefits, the petitioner has made a representation on 01.07.2016. Till date, the said representation was not considered. Hence, the present writ petition is filed.

3.The learned counsel appearing for the petitioner submitted that it would suffice, if the second respondent is directed to consider the petitioner's representation dated 01.07.2016, on merits and in accordance with law, within a specified period.

4. The learned Special Government Pleader appearing for the respondents 2 to 4, has no serious objection for such an order being passed by this Court.

5.Considering the facts and circumstances of the case, this Court, without expressing any opinion on the merits of the matter, directs the second respondent to consider the petitioner's representation dated 01.07.2016 and pass appropriate 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 petitioner is also directed to enclose the copy of the representation along with the copy of this order enabling the second respondent to pass orders.

6.With the above direction, this Writ Petition is disposed of. No Costs.

Sd/-

Assistant Registrar ()

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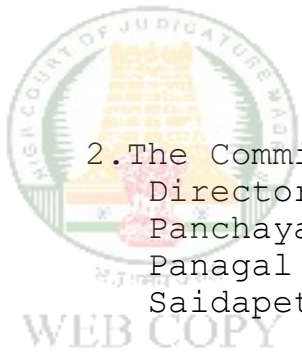
Sub Assistant Registrar(CS)

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To

1.The Principle Secretary to the
State Govt. of Tamil Nadu,
Rural Development and
Panchayat Raj Department,
Secretariat,
Chennai-600 009.

<https://hcservices.ecourts.gov.in/hcservices/>



2.The Commissioner,
Directorate of Rural Development and
Panchayat Raj Department,
Panagal Building,
Saidapet, Chennai-600 015.

3.The District Collector,
Pudukkottai District.

+1 CC to SPL GP (SR-7519[F] dated 26/02/2021)

+1 CC to Mr.P.GANAPATHI SUBRAMANIAN, Advocate (SR-7696[F] dated
26/02/2021)

+1 CC to Mr.P.GUNASEKARAN, Advocate (SR-7737[F] dated 01/03/2021)

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VB (15.03.2021) 3P 7C