



W.P.No.8092 of 2016

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.12.2022

CORAM

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

W.P.No.8092 of 2016  
and W.M.P.No.7208 of 2016

T. Sundararajan (Deceased)

S. Malarkodi

... Petitioner

*[P2 substituted as LR of deceased sole petitioner vide order dated 05.01.2022 made in WMP.No.7160/2021 in WP.No.8092/2016 by MSRJJ]*

***Vs.***

1.State of Tamil Nadu

rep. by the Secretary to Government,  
Revenue Department,  
Fort St. George,  
Chennai – 600 009.

2.The Principal Commissioner and

Commissioner for Revenue Administration,  
Chepauk,  
Chennai – 600 005.

... Respondents

**Prayer :** Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Certiorarified Mandamus, calling for the records of 2<sup>nd</sup> respondent in Na.Ka.Va.Ni2(2)/27560/2009 dated 13.10.2015 and quashing the same, consequently, direct 1<sup>st</sup> respondent to issue a G.O. for grant of minimum pension to the petitioner in accordance with



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G.O.Ms.No.148 Revenue Department 20.04.2011, with all consequential benefits and arrears.

For Petitioner : Mr.A.K.R. Ravi  
For Respondent : Mr.T. Chezhiyan,  
Additional Government Pleader

### **ORDER**

By placing reliance on G.O.Ms.No.148, Revenue Department dated 20.04.2011, the petitioner's husband late T. Sundararajan, who was appointed as Village Administrative Officer (VAO) on 27.10.2005, claims for grant of minimum pension.

2. The entitlement of the Village Administrative Officers for grant of minimum pensions has been settled through G.O.Ms.No.158, Revenue Department dated 08.04.2015, whereby, a cut off date i.e., on or after 01.04.2003 in the proviso to Rule 2 of the Tamil Nadu Pension Rules, has been provided for. As per the said Government Order, the Village Administrative Officers, who were appointed prior to 01.04.2003, would be entitled for a minimum pension. This proviso has already been confirmed by the Hon'ble Supreme Court in the case of '*M. Vargeese &*



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*others Vs. State of Tamil Nadu & others'* passed in '*S.L.P (Civil) Diary No.15406 of 2021* dated 12.08.2022.

3. When G.O.Ms.No.158 specifically provides for grant of minimum pension to the persons who were appointed prior to 01.04.2003, the petitioner's husband request has been rightly denied to the impugned order dated 13.10.2015. As such, there are no merits in the claim of the petitioner.

4. Accordingly, the Writ Petition stands dismissed. Further, if the petitioner is of the view that she is entitled for contributory pension, liberty is hereby granted to the petitioner to make claim before the Government. No costs. Connected miscellaneous petition is closed.

**12.12.2022**

Speaking/Non-speaking order  
Index: Yes/No  
Internet: Yes/No

***Sni***



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**M.S.RAMESH,J.**

*Sni*

To

- 1.The Secretary to Government,  
State of Tamil Nadu,  
Revenue Department,  
Fort St. George,  
Chennai – 600 009.
- 2.The Principal Commissioner and  
Commissioner for Revenue Administration,  
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