



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 04.04.2022

CORAM

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P. (MD) No.20649 of 2019

A.Lakshmanan

... Petitioner

-vs-

1. The District Collector,
Madurai District, Madurai.

2. The Assistant Director (Panchayat),
Madurai District, Madurai.

3. The Block Development Officer
(Village Panchayat),
Madurai West Panchayat Union,
Thallakulam, Madurai District.

4. The Special Officer,
Samayanallur Village Panchayat,
Samayanallur, Madurai District.

... Respondents

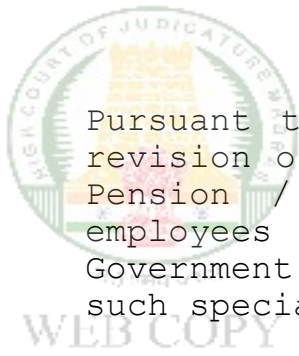
Prayer:- Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Mandamus directing the respondents to regularize the petitioner's service on completion of 3 years of service w.e.f 10.03.1999 as Sanitary Worker in the 4th respondent Panchayat from the initial date of appointment on 01.10.1996, in terms of Full Bench of the Honourable High Court reported in 2017 (3) CTC Page-673 with all attendant and monetary benefits.

For Petitioner : Mr.M.Pounraj

For Respondents : Mr.D.S.Nedunchezian,
Government Advocate

O R D E R

The relief sought for in the present writ petition is to direct the respondents to regularise the services of the writ petitioner. However, the learned counsel for the petitioner made a submission that the petitioner attained the age of superannuation and retired from service on 31.03.2020. The petitioner was working as Sanitary Worker on temporary basis. He retired as a consolidated pay employee and under those circumstances, the Government issued G.O.Ms.No.348, Finance (Pay Cell) Department, dated 28.11.2017.



Pursuant to the recommendation of the Official Committee, 2017 on revision of pay, allowances, pension and related benefits - Special Pension / Special Family Pension / Lumpsum Grant to all the employees in the Special Time Scale of Pay was ordered by the Government. The category of Sanitary Worker is also eligible for such special family pension under the above Government Order.

2. The learned Government Advocate appearing on behalf of the respondents, on instructions, made a submission that the petitioner is eligible for the lumpsum amount and also for special pension as per the orders issued in G.O.Ms.No.348, dated 28.11.2017.

3. This being the factum established, the respondents are directed to initiate all actions and settle the arrears of special pension and continue to pay the special pension as applicable to the writ petitioner along with the lumpsum grant as per the Government Order within a period of four months from the date of receipt of a copy of this order. The said benefit is to be calculated from the date of retirement.

4. With the above directions, this Writ Petition stands allowed. No costs.

Sd/-

Assistant Registrar(Writs)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

abr

To

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3. The Block Development Officer
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Samayanallur, Madurai District.

+1 CC to M/s.SPL.GP (SR-16702[F] dated 05/04/2022)

W.P.(MD) No.20649 of 2019

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