



WEB COPY



W.P.No.11103 of 2020

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.11.2023

CORAM

THE HONOURABLE Ms.JUSTICE R.N.MANJULA

W.P. No.11103 of 2020

S.P.Velusamy (Deceased)

S.Vasanthamala

...
/vs/

Petitioner

1. The Government of Tamil Nadu,
Rep. by its Principal Secretary to Government,
Rural Development & Panchayat Raj Department,
Fort St. George,
Chennai – 600 009.

2. The Director of Rural Development & Panchayat Raj,
Panagal Building,
Saidapet, Chennai – 600 015.

3. The District Collector,
Erode District,
Erode.

... Respondents

Writ Petition is filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents to count 100% of service in the post of Road Inspector from 08.10.1980 till 20.04.1981 at Sathyamangalam Block and thereafter from 08.08.1981 till 30.04.1982 at



W.P.No.11103 of 2020

Thalavaadi Block and from 20.05.1982 till 31.03.1983 at Thookanampalayam Block, thereafter as Surveyor cum Draftsman from 15.04.1984 till 30.09.1990 along with regular service in Rural Development Department from 01.10.1990 till 31.01.2012 for the purpose of grant of pension along with regular service in Rural Development Department from 01.10.1990 till 31.01.2012 for the purpose of grant of pension along with regular service in Rural Development Department from 1990 till 2012 for the purpose of grant of pension with all consequential benefits such as refixation of pension and arrears of pension etc.

For Petitioner ... Ms.T.Hemalatha

For Respondents ... Mr.P.Sanjai Gandhi
Government Advocate

ORDER

This Writ Petition has been filed for the issuance of a Writ of Mandamus directing the respondents to count 100% of service in his earlier posts for the purpose of grant of pension with all consequential benefits such as refixation of pension and arrears of pension etc.

2. The petitioner claims that her husband's full services from 08.10.1980 to 20.04.1981, 08.08.1981 till 30.04.1982 and 20.05.1982 till



W.P.No.11103 of 2020

31.03.1983 should be counted in the posts of Road Inspector at Sathyamangalam, Thalavaadi and Thookanampalayam Block respectively and thereafter as Surveyor cum Draftsman from 15.04.1984 till 30.09.1990 along with his regular service in Rural Development Department from 01.10.1990 till 31.01.2012 for the purpose of grant of pension. The petitioner's husband has given a representation to the third respondent to count his 100% of services in the aforesaid posts. Since third respondent failed to consider the same, the present Writ Petition has been filed. During the pendency of this petition, the petitioner's husband died and hence the petitioner has been brought on record as his legal representative.

3. Mr.P.Sanjai Gandhi, learned Government Advocate, submitted that the petitioner can give a fresh representation to the respondents, and the respondents shall consider the same and pass orders in accordance with law.

4. Hence, without going into merits of the case, the petitioner is directed to give a fresh representation to the respondents and on receipt of the same, the respondents shall consider and pass orders in accordance with



W.P.No.11103 of 2020

law, within a period of six weeks from the date of receipt of representation from the petitioner. No costs.

5. With the above direction, this Writ Petition is disposed. No costs.

07.11.2023

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



W.P.No.11103 of 2020

To:

WEB COPY

1. The Principal Secretary to Government,
Rural Development & Panchayat Raj Department,
Fort St. George,
Chennai – 600 009.
2. The Director of Rural Development & Panchayat Raj,
Panagal Building,
Saidapet, Chennai – 600 015.
3. The District Collector,
Erode District,
Erode.



WEB COPY



W.P.No.11103 of 2020

R.N.MANJULA ,J.

bkn

W.P.No.11103 of 2020

07.11.2023