



W.P.(MD).No.4597 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 03.03.2023

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.(MD)No.4597 of 2023

N.Annadurai

... Petitioner

VS.

- 1.The Government of Tamil Nadu
represented by its Secretary,
Tamil Nadu Rural Development and
Panchayat Raj Department,
Fort St. George,
Secretariat,
Chennai 600 009.
- 2.The Directorate of Rural Development and
Panchayat Raj Department,
Panagal Maligai,
4th and 5th Floor,
Abdul Razzak Street,
Saidapet,
Chennai 600 015.
- 3.The Principal Accountant and Audit General,
Accountant General Office,
361, Anna Salai,
Teynampet,
Chennai 600 018.



W.P.(MD).No.4597 of 2023

4.The District Collector,
Collector Office,
Kokkirakulam,
Tirunelveli District.

5.The Block Development Officer,
Panchayat Union,
Kadayam,
Tirunelveli District.

... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, for issuance of a Writ of Mandamus, directing the respondents to count 50 % of service rendered by the petitioner in the part time panchayat service from 16.05.1981 to 27.08.2001 along with regular service for the purpose of granting pension with all consequential and monetary benefits by considering the representation dated 22.09.2022 given by writ petitioner, in the light of G.O.(Ms)No.99 Rural Development and Panchayat Raj (E5) Department dated 27.08.2022 within the time limit fixed by this Court.

For Petitioner : Mr.P.Deepak

For R1, R2 & R4 : Mr.S.P.Maharajan

Special Government Pleader

For R3 : Mr.P.Gunasekaran



W.P.(MD).No.4597 of 2023

WEB COPY

ORDER

This writ petition has been filed for issuance of a Writ of Mandamus, directing the respondents to count 50% of the service rendered by the petitioner as part time Panchayat Clerk from 16.05.1981 to 27.08.2001 along with regular service for the purpose of granting pension with all consequential and monetary benefits, by considering the representation dated 22.09.2022, in the light of G.O.(Ms)No.99, Rural Development and Panchayat Raj (E5) Department, dated 27.08.2022.

2. The case of the petitioner is that he was appointed as Part Time Panchayat Clerk in Rengasamuthiram Panchayat, Tirunelveli District from 16.05.1981 to 31.12.1990 on consolidated pay. Subsequently, he was appointed as Panchayat Assistant in Block Development Officer, Pappakudi Block, Mukkudal, Tirunelveli District. Thereafter, he was promoted as Junior Assistant and lastly he was promoted as Accountant on 24.09.2010 and got superannuation on 31.05.2012. The respondents have not counted the service rendered by the petitioner as Part Time



W.P.(MD).No.4597 of 2023

WEB COPY

Panchayat Clerk for the purpose of computation of pension. Hence, the petitioner has made a representation on 22.09.2022 to the respondents. Since the said representation has not been considered by the respondents, the petitioner has filed this writ petition.

3. The learned counsel appearing for the petitioner would submit that this Court may issue a direction to the fifth respondent to consider the petitioner's representation dated 22.09.2022 and pass appropriate orders, within a reasonable time as fixed by this Court.

4. Heard the learned counsel for the petitioner, the learned Special Government Pleader appearing for the respondents 1, 2 and 4 and the learned counsel appearing for the third respondent.

5. Considering the limited request made by the learned counsel for the petitioner, this Court, without going into the merits of the matter, directs the fifth respondent to consider the petitioner's representation dated 22.09.2022 and pass appropriate orders, on merits and in



W.P.(MD).No.4597 of 2023

WEB COPY

accordance with law, within a period of twelve weeks from the date of receipt of a copy of this order.

6. With the above directions, this Writ Petition is disposed of. No costs.

03.03.2023

akv

To

- 1.The Secretary,
Government of Tamil Nadu,
Tamil Nadu Rural Development and
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- 2.The Directorate of Rural Development and
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5/7



W.P.(MD).No.4597 of 2023

WEB COPY

3.The Principal Accountant and Audit General,
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4.The District Collector,
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5.The Block Development Officer,
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W.P.(MD).No.4597 of 2023

M.DHANDAPANI,J.

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W.P.(MD)No.4597 of 2023

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