



W.P.(MD)No.22799 of 2022

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 27.02.2023

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.(MD)No.22799 of 2022

P.Manickavel

Vs.

... Petitioner

- 1.The Government of Tamil Nadu
represented by its Secretary to Government,
Rural Development and Panchayat Raj Department,
Fort St. George,
Chennai 600 009.
- 2.The Director of Rural Development and
Panchayat Raj Department,
Panagal Buildings,
No.1, Jeenis Road,
Saidapet,
Chennai 15.
- 3.The District Collector,
Tuticorin District,
Tuticorin.
- 4.The Accountant General,
Accounts and Entitlement,
Nandhanam,
Chennai 18.



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5. The Block Development Officer,
Ottapidaram Panchayat Union,
Ottapidaram,
Tuticorin District.

... Respondents

PRAYER : Writ Petition is filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, directing the respondents 3 and 5 to reckon and compute the service rendered by the petitioner as continuous full time Panchayat Record Clerk from 03.11.1986 to 27.12.2017 along with regular service for the purpose of pension and other benefits with increments and arrears to the petitioner, on the basis of the petitioner's representation dated 09.08.2022.

For Petitioner : Mr.P.Krishnasamy
For R1 to R3 and R5: Mrs.K.Christy Theboral
Additional Government Pleader
For R4 : Mr.P.Gunasekaran

ORDER

This writ petition has been filed for issuance of a Writ of Mandamus, directing the respondents 3 and 5 to reckon and compute the service rendered by the petitioner as continuous full time Panchayat Record



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Clerk from 03.11.1986 to 27.12.2017 along with regular service for the purpose of pension and other benefits with increments and arrears to the petitioner, on the basis of the petitioner's representation dated 09.08.2022.

2. The case of the petitioner is that he was employed as Part Time/Temporary Clerk from the year 1981 and Full Time Record Clerk from 03.11.1986 in Kulathur Panchayat Board Office in Tuticorin District. Thereafter, he was promoted as Junior Assistant/Rural Welfare Officer, Grade - II on 28.12.2007. Subsequently, he was promoted as Assistant /Rural Welfare Officer Grade – I. Then, he was promoted as Regional Deputy Block Development Officer - II in Ottapidaram Panchayat Union Office, Ottapidaram, Tuticorin District. The petitioner was brought to full time employment as continuous Full Time Record Clerk and granted honorarium with effect from 03.11.1986. As per Rule 11(4) of the Tamil Nadu Pension Rules, the petitioner is entitled to calculate 50% of the service rendered by him from the year 1986 to 2017 as Full Time Panchayat Record Clerk for pension and other monetary benefits. However, the same was not taken into consideration. Hence, the petitioner has made a



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representation to the respondents on 09.08.2022. Since the said representation has not been considered, the petitioner has filed the present writ petition.

3. The learned counsel appearing for the petitioner would submit that this Court may issue a direction to the respondents to consider the petitioner's representation dated 09.08.2022 and pass appropriate orders.

4. Heard the learned counsel for the petitioner, learned Additional Government Pleader appearing for the respondents 1 to 3 and 5 and the learned counsel appearing for the fourth respondent.

5. Considering the limited request made by the learned counsel for the petitioner, this Court, without expressing any opinion on the merits of the matter, directs the respondents to consider the petitioner's representation dated 09.08.2022 and pass appropriate orders, on merits and in accordance with law, within a period of eight weeks from the date of receipt of a copy of this order.



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

27.02.2023

NCC: Yes/No
Index : Yes / No
Speaking Order : Yes / No

akv

To

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2.The Director of Rural Development and
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- 4.The Accountant General,
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M.DHANDAPANI,J.

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