



W.P.(MD).No.1606 of 2016

THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 16.02.2023

CORAM

THE HONOURABLE MRS.JUSTICE S.SRIMATHY

W.P.(MD).No.1606 of 2016

K.S.Narayanan

... Petitioner

Vs.

1.The Government of Tamil Nadu,
Represented by its Secretary,
Finance (PGC) Department,
Fort St.George,
Secretariat,
Chennai – 600 009.

2.The State of Tamil Nadu,
Represented by its Secretary,
Finance and Pension Department,
Fort St.George,
Secretariat,
Chennai – 600 009.

3.The District Collector,
Sivagangai District,
Sivangangai.

... Respondents



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Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, calling for the records pertaining to the impugned order passed by the first respondent in Letter No.1380/PGC/2015, dated 10.02.2015, quash the same, and consequently direct the first respondent to count 50% of the service rendered as Part Time Panchayat Clerk for the purpose of pension.

For Petitioner : Mr.P.Saravana Kumar

For Respondents : Mr.J.John Rajadurai,
Government Advocate.

ORDER

This Writ Petition is filed for Writ of Certiorarified Mandamus to quash the impugned order 10.02.2015 with a consequential relief to count 50% of the service rendered as part time Panchayat Clerk for the purpose of pension.

2. The issue pertaining to calculate the service rendered as part time Village Karnam was decided by the Hon'ble Division Bench in W.A.(MD)No. 1629 of 2018 batch wherein it is held that as per Service Rules since the post itself is a part time post, then the employee is not entitled to calculate 50% of



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the said part time service for calculating the pensionable service. It is an admitted fact that the Panchayat Clerk is also part time service and hence the said service cannot be taken for calculating the pensionable service. Therefore, the petitioner is not entitled to calculate part time service.

3. Hence, this Writ Petition is dismissed. There shall be no order as to costs.

16.02.2023

NCC : Yes/No
Index : Yes / No
Internet : Yes/ No
Nsr



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To
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The Government of Tamil Nadu,
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2. The Secretary,
The State of Tamil Nadu,
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S.SRIMATHY, J.

Nsr

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