



WEB COPY

W.P.(MD) No.15619 of 2021

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 07.08.2024

CORAM:

THE HONOURABLE MR.JUSTICE ABDUL QUDDHOSE

W.P.(MD) No.15619 of 2021

Lakshmi

... Petitioner

-VS-

1.The Principal Secretary to
Government of Tamilnadu
Rural Development &
Panchayat Raj Department
Fort St.George, Chennai-600 009

2.The Director of Rural Development &
Panchayat Raj
Panagal Building
Chennai-15

3.The District Collector
Office of the District Collector
Dindigul

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a writ of mandamus directing the first respondent herein to count the services rendered by the petitioner's husband in the post of Part Time Panchayat



W.P.(MD) No.15619 of 2021

WEB COPY

Clerks for the purpose of pension and retiral benefits together with all consequential benefits in view of G.O.Ms.No.39, dated 13.06.2011 and as per the order passed by this Court in W.A.No.1111/2016, dated 22.03.2018, within the time stipulated by this Court.

For Petitioner : Mr.A.R.Kannappan

For Respondents : Mr.D.Farjana Ghoushia
Special Government Pleader

ORDER

This writ petition has been filed for a mandamus seeking for a direction to the first respondent to count the services rendered by the petitioner's husband in the post of part-time Panchayat Clerk for the purpose of family pension and retiral benefits by applying G.O.(Ms) No.39, Rural Development and Panchayat Raj Department, dated 13.06.2011.

2. The petitioner's husband had retired from Government service. According to the petitioner, her husband was a part-time Panchayat Clerk prior to the cut off date for grant of pension, which falls on 01.04.2003. Therefore, according to the petitioner, the said service as a part-time



W.P.(MD) No.15619 of 2021

WEB COPY

Panchayat Clerk should be counted for the purpose of pension and other retirement benefits and family pension will have to be granted to the petitioner, subsequent to the death of her husband. The petitioner has given a representation on 03.08.2021 to the respondents requesting them to count the services rendered by the petitioner's husband in the post of part-time Panchayat Clerk for the purpose of family pension and other retiral benefits and to apply G.O.(Ms) No.39, Rural Development and Panchayat Raj Department, dated 13.06.2011. Since the said representation was not considered by the respondents, the petitioner has filed this writ petition.

3. No prejudice will be caused to the respondents, if the petitioner's representation is considered on merits and in accordance with law, within a time frame to be fixed by this Court.

4. Accordingly, this Court directs the third respondent to pass final orders on the petitioner's representation, dated 03.08.2021, seeking to count the services rendered by her husband in the post of part-time Panchayat Clerk, for the purpose of family pension and other retiral benefits by applying G.O.(Ms) No.39, Rural Development and Panchayat Raj



W.P.(MD) No.15619 of 2021

WEB COPY

Department, dated 13.06.2011, within a period of twelve weeks from the date of receipt of a copy of this order.

5. With the above direction, this writ petition is disposed of. No costs.

07.08.2024

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

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To:

- 1.The Principal Secretary to
Government of Tamilnadu,
Rural Development &
Panchayat Raj Department,
Fort St.George,
Chennai-600 009.
- 2.The Director of Rural Development &
Panchayat Raj,
Panagal Building,
Chennai-15.
- 3.The District Collector,
Office of the District Collector,
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W.P.(MD) No.15619 of 2021

ABDUL QUDDHOSE, J.

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W.P.(MD) No.15619 of 2021

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