



W.P.(MD)No.15793 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 15.07.2024

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THE HONOURABLE MS JUSTICE R.N.MANJULA

W.P.(MD)No.15793 of 2024

K.Subburaj

... Petitioner

Vs.

1.The Secretary to Government,
Personal Administrative Reforms
(Pay Cell) Department,
Chepauk, Chennai-600 009.

2.The Commissioner of Revenue Administration,
Chepauk, Chennai-600 009.

3.The District Collector,
Madurai District, Madurai.

4.The Tahsildar,
Melur Taluk,
Madurai District.

5.The Branch Officer,
Office of the Accountant General (A & E),
361, Anna Salai,
Chennai-18.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondents to include 50% of service of the petitioner as part time Panchayat Clerk from 01.03.1974 to 11.03.1984 along with his service period as VAO for the purpose of Pensionary



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benefits and accordingly, provide the same to the petitioner within the time as may be stipulated by this Court by considering the representation of the petitioner dated 30.05.2024.

For Petitioner : Mr.K.Jeyamohan
For R1 to R4 : Mr.N.Ramesh Arumugam
Government Advocate
For R5 : Mr.P.Gunasekaran
Standing Counsel

ORDER

Heard Mr.K.Jeyamohan, learned counsel for the petitioner, Mr.N.Ramesh Arumugam, learned Government Advocate for the respondent 1 to 4 and Mr.P.Gunasekaran, learned Standing Counsel for the fifth respondent.

2. By consent of both parties, this writ petition is taken up for final disposal at the stage of admission itself.

3. The petitioner has filed this writ petition seeking a Writ of Mandamus, to direct the second respondent to include 50% of service of the petitioner as part time Panchayat Clerk from 01.03.1974 to 11.03.1984 along with his service period as VAO for the purpose of Pensionary benefits and accordingly, provide the same to the petitioner within the time as may be



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stipulated by this Court by considering the representation of the petitioner dated 30.05.2024.

4. Since the petitioner's representation dated 30.05.2024 seeking inclusion of 50% of the services rendered by the petitioner as Part Time Panchayat Clerk along with service period as VAO, has not been considered so far, the petitioner has filed this writ petition.

5. It is needless to point out that whenever a representation of this nature is made to a Government Authority, there is a duty cast upon the respondents to consider the same on its own merits and pass appropriate orders in one way or other, instead of keeping the same pending indefinitely. The failure on the part of the authority had prompted the petitioner to file this petition for seeking relief through issuance of Writ of Mandamus. As the petitioner has made out a case for invoking the extraordinary powers of this Court under Article 226 of the Constitution of India, the respondents are required to be given with a direction to consider the representation of the petitioner within a specified time frame.



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6. In the light of the above observations, there shall be a direction to the third respondent herein to consider the petitioner's representation dated 30.05.2024 on its own merits and pass appropriate orders in accordance with law and in light of the earlier judicial pronouncement, if any, within a period of four (4) weeks from the date of receipt of a copy of this order. It is made clear that this Court has not gone into the merits of the claim of the petitioner and it is open to the respondents to consider the same on its own merits.

7. With the above direction, the Writ Petition stands disposed of.

No costs.

15.07.2024

NCC:yes/no
Index:yes/no
Internet:yes/no
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To

- 1.The Secretary to Government,
Personal Administrative Reforms
(Pay Cell) Department,
Chepauk, Chennai-600 009.
- 2.The Commissioner of Revenue Administration,
Chepauk, Chennai-600 009.
- 3.The District Collector,
Madurai District, Madurai.



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4.The Tahsildar,
Melur Taluk,
Madurai District.



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R.N.MANJULA, J.

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