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WP No. 1525 of 2024



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08-12-2025

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THE HONOURABLE MR JUSTICE M.DHANDAPANI

WP No. 1525 of 2024

R.Ranganathan
S/o. K.Periyathambi, Munsif Thottam,
Mullukurichi Village and Post,
Rasipuram Taluk, Namakkal District.

Petitioner(s)

Vs

1. The State of Tamilnadu,
Rep. by its Secretary to Government,
Revenue Department, Secretariat,
Chennai - 600 009.

2.The Principal Commissioner and
Commissioner of
Revenue and Land Administration,
Ezhilagam, Chepauk,
Chennai - 600 005.

3.The Accountant General(Audit),
Teynampet, Chennai - 600 018.

Respondent(s)

PRAYER Writ Petition filed under Article 226 of Constitution of India, to issue a Writ of Certiorarified Mandamus to call for the records on the file of the 3rd respondent in proceedings No. P01/4/10126044/ADK/350 dated 01.10.2023 and quash the same and consequently direct the respondents to sanction regular pension with attendant benefits to the petitioner from the date of retirement i.e. from 31.12.2016 with interest as applicable till the date of payment.

For Petitioner(s): Mr.K.Sannjay

For Respondent(s): Mr.T.M.Rajangam, Government
Advocate for R1 & R2
Ms.G.Vardini Karthik for R3

**ORDER**

This writ petition has been filed, challenging the impugned proceedings of the 3rd respondent dated 01.10.2023 and directing the respondents to sanction regular pension with attendant benefits to the petitioner from the date of retirement i.e. from 31.12.2016 with interest as applicable till the date of payment.

2.The case of the petitioner is that he was appointed as Village Munsif (Karnam) on 05.02.1980 in a leave vacancy, and based on that appointment, he worked as a Village Administrative Officer (Karnam) from 13.02.1980 to 13.05.1980 as per the order of the Sub Collector. Thereafter, as per G.O.Ms.No.370 dated 22.06.2005, the Government decided to appoint 224 persons who had worked as temporary Village Administrative Officers for some period prior to 14.11.1980. In accordance with the said Government Order, the petitioner was appointed as Village Administrative Officer on 27.10.2005 in Tiruchendur area. During his service, on 31.12.2014, the Revenue Divisional Officer, Namakkal, issued a charge memo under Rule 17(b) of the Tamil Nadu Government Servants (Discipline & Appeal) Rules. After enquiry, the petitioner was required to submit his explanation, which he did on 23.12.2016. The petitioner attained the age of superannuation on 31.12.2016, but he was not permitted to retire from service due to the pendency of the said charge memo.



Subsequently, the petitioner filed W.P.No.31820 of 2017 before this Court seeking a direction to the respondents to pass final orders in the disciplinary proceedings within a period of four weeks. Pursuant to the Court's order, and after a lapse of nearly six years, the Sub Collector, Namakkal, issued the final order in the disciplinary proceedings on 23.08.2019. By the said order, the petitioner was permitted to retire from service without reference to the charges under Rule 17(b), but a punishment of stoppage of increment for one year without cumulative effect was imposed, along with a direction to pay a sum of Rs.9,984/- into the Government account. Although the Sub Collector passed the order permitting the petitioner to retire in 2019, the Tahsildar, Rasipuram, communicated the said order only on 21.06.2023. Thereafter, the pension proposal was submitted by respondents 1 and 2 to the 3rd respondent for sanction of pension as per G.O.Ms.No.148 dated 20.04.2011. However, by order dated 02.10.2023, the 3rd respondent rejected the proposal, stating that the petitioner had been ousted from service prior to 14.11.1980 in the post of Village Administrative Officer and was therefore not entitled to pension. The impugned order of the 3rd respondent is illegal and untenable, since the petitioner was not ousted from service on 13.10.1980. On the basis of his leave vacancy experience certificate, he was reappointed under G.O.Ms.No.370 dated 22.06.2005 and served continuously as Village Administrative Officer from 27.10.2005 to 31.12.2016, for a total period of 11 years, 2 months, and 4 days.



As per G.O.Ms.No.148 dated 20.04.2011, pension was granted to similarly placed persons who joined duty as Village Administrative Officers in 2005, even to those who had worked for only 2 to 5 days, by notionally calculating their service prior to 14.11.1980. Without considering the said Government Order, the 3rd respondent has wrongly rejected the petitioner's claim for pension. Hence, the present writ petition has been filed.

3.The learned counsel for the petitioner would submit that the petitioner was admittedly appointed as Karnam for a period of three months from 13.02.1980 to 13.05.1980. Subsequently, the said post was abolished on 14.11.1980, and those who were employed as Karnam were permitted to participate in the selection process for appointment to the post of Village Administrative Officer, provided they possessed the necessary qualifications. Since the petitioner possessed the requisite qualification, he was appointed as Village Administrative Officer on 27.10.2005 at Tiruchendur and thereafter retired from service on 31.12.2016. The learned counsel would further submit that the petitioner was appointed as Village Administrative Officer only on account of his earlier service as Karnam. Irrespective of the period of service, the petitioner lost his position as Karnam on 14.11.1980 pursuant to the Government Order. In such circumstances, the petitioner is entitled to minimum pension as if he had rendered service as on 14.11.1980. Therefore, the rejection



of his claim for pension by the 3rd respondent is unsustainable.

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4. Per contra, the learned Government Advocate appearing for the respondents would submit that the petitioner was admittedly appointed as Karnam for a period of three months from 13.02.1980 to 13.05.1980 in the leave vacancy of one Sengottuvelu. After 13.05.1980, the petitioner no longer worked as Karnam in the village, and the said post of Karnam was abolished only on 14.11.1980. As on 14.11.1980, the petitioner was not employed as Karnam. Hence, the petitioner is not entitled to pension under G.O.Ms.No.148 dated 20.04.2011. As per the said Government Order, only those persons who were in service prior to 14.11.1980 and who subsequently received appointment in the year 2005–2006 are to be treated as eligible for minimum pension, reckoning their service as on 14.11.1980. Therefore, the 3rd respondent has rightly passed the impugned order, which does not warrant any interference by this Court. Accordingly, he prayed for dismissal of the petition.

5. Upon consideration of the submissions made by both sides and on perusal of the records, this Court is of the view that the petitioner was appointed as Karnam only for a short period from 13.02.1980 to 13.05.1980 in a leave vacancy, and thereafter, he was not in service as on 14.11.1980, the date on which the post of Karnam was abolished. The subsequent appointment of the



petitioner as Village Administrative Officer in the year 2005 cannot be construed as a continuation of his earlier service as Karnam. As per G.O.Ms.No.148 dated 20.04.2011, the benefit of minimum pension is extended only to those persons who were in service as Karnam prior to 14.11.1980 and who were later appointed as Village Administrative Officers in 2005–2006. Since the petitioner was not in service as on 14.11.1980, he does not fall within the ambit of the said Government Order. Therefore, the rejection of his claim for pension by the 3rd respondent is valid and sustainable in law. In view of the above, the impugned order passed by the 3rd respondent does not warrant any interference by this Court.

6. Accordingly, the Writ Petition stands dismissed. No costs.

08-12-2025

Index: Yes/No
Speaking/Non-speaking order
Internet: Yes
Neutral Citation: Yes/No
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To

1. The Secretary To Government,
Revenue Department, Secretariat,
Chennai - 600 009.

2. The Principal Commissioner and
Commissioner of
Revenue And Land Administration,
Ezhilagam, Chempauk,
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M.DHANDAPANI J.

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