



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05-12-2025

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CORAM

THE HON'BLE Ms. JUSTICE P.T. ASHA

WP No. 19889 of 2022

and

WMP No. 19196 of 2022 and WMP No. 48719 of 2025

1.V.Jayakumar

Peon, Villianur Commune Panchayat, Villianur,
Pondicherry- 605 110.

2.V.Gnanasegar

Bill Collector Gr-II, Villianur Commune
Panchayat, Villianur, Pondicherry- 605 110.

3.K.Cannane

Maistry, Villianur Commune Panchayat,
Villianur, Pondicherry- 605 110.

4.M.Balasubramanian @ PrabaharanTank

Operator, Vilianur Commune Panchayat,
Villianur, Pondicherry- 605 110.

5.A.Arun Mozhi.Devan

Lower Division Clerk, Mannadipet Commune
Panchayat, Thirubhvan, Pondicherry- 605 107.

6.A.Mouniappan

Tank Operator, Villianur Commune Panchayat,
Villianur, Pondicherry- 605 110.

7.M.Carounanidy

Gangman, Villianur Commune Panchayat,
Villianur, Pondicherry- 605 110.



8.S.Ayappan
Cleaner, Vilianur Commune Panchayat,
Villianur, Pondicherry- 605 110.

9.C.Boominathan Bill Collector Gr-II, Vilianur
Commune Panchayat, Villianur, Pondicherry-
605 110.

..Petitioners

Vs

1.The Deputy Director (RD)Local
Administration Department, Government of
Puducherry, Pondicherry- 605 001.

2.The Commissioner Villianur Commune
Panchayat, Puducherry- 605 110.

..Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India to issue a writ of mandamus directing the respondents herein to grant pensionary benefits for the petitioners under Old Pension scheme by considering the representation dated 30.05.2022.

For Petitioners :	Mr. D.Sreenivasan
For Respondents:	Mr.Sreedhar, Additional Government Pleader(Puducherry)

ORDER

This Writ Petition has been filed seeking a direction to the respondents herein to grant pensionary benefits to the petitioners under Old Pension Scheme by considering their representation dated 30.05.2022.



2. It is the case of the petitioners that they have been working as casual labourers in the Puducherry Local Administration Department and serving under the work charged establishment in Villianur and Mannadipet Commune Panchayats on a temporary basis as casual labourers. On 31.07.2015, a G.O.Ms.No.15/LAS/2015-16 was issued by the Under Secretary to the Government, Local Administration, Government of Puducherry, regularizing the petitioners in the work charged establishment. Though their regularization took place after 01.04.2004, they had been serving in the respective posts right from their appointment as casual workers.

3. While this being so, on 20.09.2016, an order was passed by the 1st respondent wherein the competent authorities accorded approval for counting 50% of the daily rated service rendered by the petitioners as qualifying service for the grant of pensionary benefits, in terms of the Pondicherry Commune Panchayat Subordinate Services (Retirement and Pension) Rules, 1976. Hence, the petitioners would submit that they are entitled to the benefits under the Old Pension Scheme and merely because they were initially appointed prior to 01.01.2004 and were absorbed into regular posts only after 01.01.2004, they cannot be treated as new entrants



to Government service. The petitioners have given a detailed representation to the respondents on 30.05.2022, setting out their grievances. However, no action has been taken to date. Hence, the petitioners are before this Court.

4. Heard the learned counsels and perused the materials available on record. Since the relief claimed is only for a speedy consideration of their representation without going into the merits of the case the following order is passed.

5. The writ petition is allowed and a Mandamus is issued to the respondents to consider the representation of the petitioners dated 30.05.2022 and pass a speaking order within a period of two months from the date of receipt of a copy of this order. No costs. Consequently, connected miscellaneous petitions are closed.

05-12-2025

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No
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To
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Administration Department, Government of
Puducherry, Pondicherry- 605 001.

2.The Commissioner Villianur Commune
Panchayat, Puducherry- 605 110.



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P.T.ASHA J.

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