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W.A.No.3196 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.11.2025

CORAM :

THE HONOURABLE MR. JUSTICE M.S. RAMESH
AND
THE HONOURABLE MR. JUSTICE R.SAKTHIVEL

W.A.No.3196 of 2023
and CMP.No.26159 of 2023

1.The Government of Tamil Nadu
Represented by its Secretary to Government,
Revenue Department, Secretariat,
Chennai-600 009

2.The District Collector,
Krishnagiri District

3.The Tahsildar,
Denkanikottai Taluk,
Krishnagiri

... Appellants

Vs.

M.Subramaniam

... Respondent

PRAYER: Appeal is filed under Clause 15 of the Letters Patent, praying to
set aside the order dated 04.07.2022 made in W.P.No.14896 of 2018.



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For Appellants : Mr.U.M.Ravichandran
Special Government Pleader
For Respondent : Mr.M.P.Saravanan

JUDGMENT

(Judgment of this Court was delivered by M.S.RAMESH.J)

This Writ Appeal has been filed to set aside the order dated 04.07.2022 made in W.P.No.14896 of 2018.

2. When the post of Village Karnam was abolished on 14.11.1980, the respondent herein and similarly placed Ex-Village Karnams, had subsequently qualified themselves to be appointed as the Village Administrative Officers. Since some of these Village Administrative Officers did not put in the necessary qualifying pensionable service of 10 years, the Government had issued G.O.(Ms).No.756, dated 17.08.1993, extending minimum pension to such retired Village Administrative Officers, who did not put in the necessary 10 years of qualifying service.



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3. In this background, when the minimum pension was not extended to the respondent herein, he had filed a Writ Petition before this Court in W.P.No.36938 of 2016 and through orders of this Court, he was extended minimum pension in G.O.(Ms).No.282, Revenue Department, dated 07.09.2017. However, the minimum pension was paid only from the date of the Government order (i.e) from 07.09.2017. On the ground that similarly placed 282 Village Administrative Officers, who had not put in 10 years of qualifying service, at the time of retirement, were granted minimum pension from the date of retirement, and in particular about the case of one Nanjundappa, who was also similarly placed like the respondent herein and paid the minimum pension from the date of retirement, the respondent had challenged the G.O.(Ms).No.282, dated 07.09.2017, insofar as it relates to fixing the date of payment from the date of the said Government order, before this Court in W.P.No.14896 of 2018. The learned Single Judge had allowed the Writ Petition on 04.07.2022, which is put under challenge in this Writ Appeal.

4. The learned Special Government Pleader for the appellants submitted that G.O.(Ms).No.756, dated 17.08.1993 is not applicable to the



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respondent herein, since he did not complete 10 years of service. However, through the orders passed by this Court, he was granted minimum pension in G.O.(Ms).No.282, and therefore, there was nothing wrong in the Government order, fixing his eligibility from the date of the Government order.

5. We do not endorse the submissions of the learned Special Government Pleader. The G.O.(Ms).No.756 is a beneficial Government order, which had taken into account the plight of the Village Administrative Officers, who had earlier served as Village Karnams, and after the abolition of the post, they were constrained to acquire necessary educational qualifications, and after a gap of service, they had joined as Village Administrative Officers. In order to address the plight of such Officers, minimum pension was ordered through G.O.Ms.No.756. When several Village Administrative Officers did not possess the required 10 years of qualifying service, the Government, through a letter dated 20.09.2008, had relaxed the conditions and extended the minimum pension to 282 Village Administrative Officers, including one Nanjundappa, from the date of the retirement.



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7. In service jurisprudence, the normal Rule is that when a particular set of employees is given relief by the Court, all other identically situated employees are also entitled to be treated alike by extending the same benefit. Not doing so, will amount to violation of Article 14 of the Constitution of India.

8. In State of *Uttar Pradesh vs. Arvind Kumar Srivastava*, reported in [(2015) 1 SCC 347], the Hon'ble Supreme Court had reiterated this position of law and held that this principle needs to be applied in service



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matters, more empathetically, as the service jurisprudence evolved by the

Hon'ble Supreme Court from time to time postulates that all similarly situated persons should be treated alike. The said decision further holds that the normal Rule would be that merely because the other similarly situated persons did not approach the Court earlier, they cannot be treated differently.

9. In the light of the aforesaid decision of the Hon'ble Supreme Court, as well as the observations made by us, we are of the view that the denial of the minimum pension from the date of the respondent's retirement, is violated of Article 14 of the Constitution of India. Hence, the consequential order, restricting such payment from the date of the Government order, cannot be legally sustainable.

10. The learned Single Judge has also properly appreciated all these aspects and had rightly allowed the Writ Petition. We do not find any reason to interfere with such well considered order. Accordingly, the Writ Appeal stands dismissed.



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11. In view of the dismissal of the Writ Appeal, the appellants herein

shall pass fresh orders granting minimum pension from 01.09.2007 till 07.09.2017 and disburse the arrears of minimum pension, at least within a period of three (3) months from the date of receipt of a copy of this order.

Consequently, connected miscellaneous petition is closed. No Costs.

[M.S.R., J] [R.S.V.,J]

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Index: Yes/No

Speaking/Non-speaking order

Neutral Citation: Yes/No

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