



WEB COPY



W.P.No.23953 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.07.2025

CORAM

THE HONOURABLE MR.JUSTICE C.KUMARAPPAN

W.P.No.23953 of 2025

Sampath

... Petitioner

Vs.

- 1.The Government of Tamil Nadu
Represented by its Additional Secretary,
Department of Rural Development and Panchayatraj
Secretariat, Chennai
- 2.The Additional Finance Secretary,
Finance Department
Secretariat, Chennai
- 3.The District Collector
Salem
- 4.The Project Director
Rural Development
Salem
- 5.The Assistant Director of Panchayat
Salem

... Respondents

Writ Petition filed under Article 226 of the Constitution of India
praying to issue a Writ of Certiorarified Mandamus, calling for the records of



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the 1st respondent's impugned G.O.(U).No.420, Rural Development and Panchayat (Pa.Aa-5) Department, dated 25.11.2024 and quash the same as illegal and direct the 2nd respondent to regularize service of the petitioner from 09.07.1990 and sanction all the pension benefit and retirement benefit to the petitioner.

For Petitioner : Mr.S.Muthukrishnan

For Respondents : Mr.G.Nanmaran
Special Government Pleader

ORDER

By consent of both the learned counsel for the parties, the Writ Petition is taken up for final disposal, at the admission stage itself.

2. The instant writ petition has been filed with a prayer for issuing a Certiorarified Mandamus, calling for the records of the 1st respondent's impugned G.O.(U).No.420, Rural Development and Panchayat (Pa.Aa-5) Department, dated 25.11.2024 and quash the same as illegal and direct the 2nd respondent to regularize service of the petitioner from 09.07.1990 and sanction all the pension benefit and retirement benefit to the petitioner.



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3. Heard the learned counsel for both sides and perused the materials available on record.

4. The learned counsel for the petitioner would submit that the petitioner was appointed as Makkal Nalapaniyalar by the 3rd respondent on 09.07.1990 and he was relieved from the said post by the 3rd respondent on 14.07.1991. It is the further submission of the petitioner that again he was appointed on 15.09.1997 by the 3rd respondent and thereafter, he was relieved from the said post on 04.06.2001. Thereafter, on 15.07.2006 he was again appointed as Makkal Nala Paniyalar and he was promoted on 09.02.2011 as Office Assistant and on attaining the age of superannuation, he retired from service on 31.05.2020. It is the submission of the petitioner that no GPF or Gratuity amount has been paid to him. It is the submission of the petitioner that since he has joined in the year 1990, he is entitled for the Old Pension Scheme.

5. At this juncture, the learned Special Government Pleader appearing for the respondents would submit that the petitioner has joined during 2006, therefore, he is not entitled for Old Pension Scheme and would submit that



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whatever eligible amount due to the petitioner has already been settled. As rightly contended by the learned Special Government Pleader, having joined in the year 2006, claiming Old Pension Scheme after his retirement, is nothing but reopening of the stale claim.

6. I am in the full agreement with the submissions made by the learned Special Government Pleader and apart from that this Court vide order dated 02.07.2025 in W.P.No.23866 of 2025 has dismissed the similar writ petition.

7. In view of the same, there is no merit in the present writ petition. In the result, the Writ Petition is dismissed. No costs.

04.07.2025

Index : Yes/No
Speaking order
Neutral Citation : Yes/No
dm



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To
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Government of Tamil Nadu
Department of Rural Development and Panchayatraj
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- 4.The Project Director
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C.KUMARAPPAN, J.

dm

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