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W.P.No.22326 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.01.2025

CORAM:

THE HONOURABLE MR. JUSTICE J.SATHYA NARAYANA PRASAD

W.P.No.22326 of 2023

A.Sivaraj

...Petitioner

-Vs-

1.The Additional Commissioner,
Revenue Administration,
Commissionerate Revenue Administration &
Disaster Management,
Chepauk, Chennai – 600 005.

2.The District Collector,
Kancheepuram,
Kancheepuram – 602 105.

3.The Revenue Divisional Officer,
Sriperumbudur Circle,
Kancheepuram District.

4.The Tahsildar,
Sriperumbudur Circle,
Kancheepuram District.

...Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying for the issuance of a direction in the nature of Writ of Mandamus, directing the 2nd and 4th respondents to furnish a detailed report to the 1st respondent as per the proceedings of the 1st respondent in



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Ne.M.Ka.No.Va.NI(2)/57201/2013 dated 19.02.2025 and also direct the 1st respondent to grant minimum pension to the petitioner within a time specified by this Court after receipt of report from the 2nd and 4th respondents and pass such further orders.

For Petitioner : Mr.K.R.Gunashekar

For Respondents : Mr.M.Rajendiran
Additional Government Pleader

ORDER

This writ petition has been filed to direct the 2nd and 4th respondents to furnish a detailed report to the 1st respondent as per the proceedings of the 1st respondent in Ne.M.Ka.No.Va.NI(2)/57201/2013 dated 19.02.2025 and also direct the 1st respondent to grant a minimum pension to the petitioner within a time specified by this Court after receipt of the report from the 2nd and 4th respondents.

2. The case of the Petitioner is that he worked as a Village Munsif/Karnam in Nemili Village, Sriperumbadur Taluk, Kancheepuram District, from 06.06.1980 to 06.09.1980. The Petitioner lost his job after the Government of Tamilnadu abolished the post of Village Munsif/Kamam in



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the year 1980. Thereafter, the Government of Tamilnadu issued G.O.Ms.No.391 dated 19.07.1999 to appoint the eligible candidates who had earlier worked as Village Munsif/Karnam and lost their jobs due to the abolition of the said post.

3. As per the 2nd Respondent's proceedings vide Na.Ka.No.19276/2000/A1 dated 02.04.2001 and the proceedings of Madurandhagam Revenue Divisional Officer vide Na.Ka.No.1737/2001/B1 dated 02.05.2001, the Petitioner was appointed as Village Administrative Officer on 04.05.2001 on a temporary basis and he retired from service on 31.03.2010.

4. The service was regularized as per G.O.M.S.No.383 dated 23.06.2008. As per the service rules, a person who had worked in the department for more than 10 years is alone eligible for getting a pension. However the persons who had not completed 10 years of service are eligible for a minimum pension.

5. The 1st Respondent vide his proceedings in Ne.M.Ka.No.Va



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NI(2)/57201/2013 dated 19.02.2015 directed the 2nd Respondent to send the details of the persons who had worked as Village Munsif/Karnam/Manium and lost their jobs due to the abolition of the said post by the Government of Tamilnadu and later on appointed as Village Administrative Officer and not completed 10 years of service, for consideration and to grant a minimum pension to such persons.

6. After the receipt of the above said proceedings of the 1st Respondent, the 2nd Respondent vide his proceedings Na.Ka.No.17427/2021/A1 dated 13.04.2022 directed the 4th Respondent to furnish the details of the eligible persons for minimum pension to his office so as to comply with the direction of the 1st Respondent. Though the 1st Respondent issued direction in the year of 2015 to the 2nd Respondent to furnish the details of the eligible persons for granting minimum pension, the 2nd Respondent acted only on 13.04.2022 and directed the 4th Respondent to furnish such details to his office. The 4th Respondent till date did not furnish the details of the eligible persons to the 2nd Respondent. Aggrieved over the same, the Petitioner has come up with the present Writ Petition.



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7. Learned counsel appearing for the petitioner would submit that the writ petition has been filed for grant of minimum pension to the petitioner since he has previously working as Karnam and later was appointed as Village Administrative Officer (VAO).

8. A counter affidavit was filed on behalf of the fourth respondent dated 25.01.2025.

9. Learned Additional Government Pleader appearing for the respondents would submit that the details of the petitioner eligible for minimum pension have been furnished by the 4th respondent, i.e., the Tahsildar, Sriperumbudur Taluk, Kancheepuram District, to the 2nd respondent vide Letter No.Na.Ka.1071/2016/A.8 dated 20.01.2025. Thereafter, the said details of the petitioner have been sent to the 1st respondent vide the District Collector's letter No.Na.Ka.17427/2021/A.1 dated 21.01.2025.

10. Learned Additional Government Pleader would further submit that the proposal sent by the 2nd respondent to the 1st respondent would be



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considered by the 1st respondent on merits and in accordance with law within a time frame stipulated by this Court.

11. Heard both sides and perused the materials available on record.

12. In view of the above factual matrix of the case, this Court is inclined to pass the following direction:

“The proposal which was forwarded by the 2nd respondent to the 1st respondent vide letter No.Na.Ka.17427/2021/A.1 dated 21.01.2025 shall be considered by the first respondent on merits, in accordance with law and pass appropriate orders, within a period of six (6) weeks from the date of receipt of a copy of this order”.

In the result, **the writ petition stands disposed of with the above observations and direction. No costs.**

22.01.2025

cda

Index : Yes/No

Speaking/Non Speaking order



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To

- 1.The Secretary, Forest Department,
The State of Tami Nadu,
Fort St.George,
Chennai – 600 009.
- 2.The Principal Chief Conservator of Forests,
Office of the Forest Department,
No.1, Jeenis Salai, Panagal Buildings,
Saidapet, Chennai – 600 015.
- 3.The District Chief Conservator of Forests,
Office of the Forest Department,
Salem Zone,
Salem – 636 007.



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J.SATHYA NARAYANA PRASAD, J.

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