



W.P. No. 25160 of 2019

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.04.2025

CORAM

THE HON'BLE Ms. JUSTICE R.N.MANJULA

W.P. No. 25160 of 2019

and

W.M.P. Nos. 24726 and 24728 of 2019

V.Kandasamy

... Petitioner

-VS-

1. The State of Tamil Nadu,
Rep. by its Secretary to Government,
Revenue Department,
Secretariat, Fort St. George,
Chennai 600 009.

2. The Commissioner of Revenue Administration,
Chepauk,
Chennai 600 005.

3. The District Collector,
Perambalur District,
Perambalur.

4. The Tahsildar,
Veppanthattai Taluk,
Perambalur District.

5. The Accountant General (A&E), Tamil Nadu,
No.361 Anna Salai,
Teynampet,
Chennai 600 018.

... Respondents

Prayer:- Writ Petition filed under Article 226 of the Constitution of India, 1950, praying to issue a Writ of Certiorarified Mandamus, to call for the



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records relating to the impugned proceedings issued by the 5th Respondent in Pen.26/1/12619447/15-16/ADK/78 dated 26/05/2015 and to QUASH the same and consequently direct the Respondents to grant minimum pension to the Petitioner in the post of Village Administrative Officer as per G.O.Ms.No.756 Revenue [Service 8(2)] Department dated 17/08/1993 and in the light of orders passed in the G.O.Ms.No.148 Revenue [Service 8(2)] Department dated 20/04/2011, from the date of retirement with all consequential benefits and other attendant benefits including arrears of pensionary benefits along with interest, within a time frame to be fixed by this Court.

For Petitioner : Mr.S.Nedunchezhiyan

For Respondents : Mr.P.Umakanth, GA (for R1 to R4)

Mr.V.Murali, SC (for R5)

ORDER

This writ petition has been filed to call for the records relating to the impugned proceedings issued by the fifth Respondent in Pen.26/1/12619447/15-16/ADK/78 dated 26.05.2015 and to quash the same and consequently direct the Respondents to grant minimum pension to the Petitioner in the post of Village Administrative Officer as per G.O.Ms.No.756 Revenue [Service 8(2)] Department dated 17.08.1993 and in the light of orders passed in the G.O.Ms.No.148 Revenue [Service 8(2)] Department dated 20.04.2011, from the



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date of retirement with all consequential benefits and other attendant benefits including arrears of pensionary benefits along with interest, within a time frame to be fixed by this Court.

2. The petitioner was initially appointed as a Village Munsif in Neikuppai Village, Perambalur Taluk and District from 08.03.1976 to 20.05.1976. Subsequently, as per the Supreme Court order, the petitioner was appointed as a Village Administrative Officer on 28.10.2005. The petitioner has retired from service even before completion of 10 years of service. As he did not put in the minimum pensionable service, the petitioner could not get pension. The petitioner has retired from service on 31.05.2012. Now, by virtue of the order passed by the Government extending the pensionable scheme to the erstwhile Village Officers, the petitioner has acquired the right to get pension. Even before they could complete the pensionable service of 10 years, the petitioner has reached the age of superannuation on 31.05.2012 and thereby he has been deprived the chance of getting pension. In view of the order passed by the Government, extending the pensionable scheme to erstwhile Village Officers, the petitioner has acquired the right of minimum pension, inspite of it, the fifth Respondent by proceedings in Pen.26/1/12619447/ 15-16/ADK/78 dated 26.05.2015 denied pension to the petitioner. Therefore, the present Writ



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Petition has been filed challenging the said order and seeking minimum pension as per G.O.Ms.No.756 Revenue [Service 8(2)] Department dated 17.08.1993 and in the light of orders passed in the G.O.Ms.No.148 Revenue [Service 8(2)] Department dated 20.04.2011.

3. A Division Bench of this Court in W.P. No. 2648 of 2007 dated 20.02.2007 after considering the above G.O.Ms.No.756 Revenue [Service 8(2)] Department dated 17.08.1993, directed the respondents and allowed the said Writ Petition. Therefore, the petitioner, who is seeking the benefit of G.O.Ms.No.756 Revenue [Service 8(2)] Department dated 17.08.1993, is similarly placed with that of the petitioner in W.P.No.2648 of 2007. This Court has followed the said order in W.P.No.1838 of 2008 dated 24.01.2008. Since the relief sought by the petitioner in this Writ Petition is covered by the earlier decisions mentioned supra, this Writ Petition has to be allowed.

4. In the result, this writ petition is **allowed** and the proceedings dated 26.05.2015 in Pen.26/1 /12619447 /15-16/ ADK/78 issued by the fifth Respondent is set aside and the respondents are directed to grant minimum pension to the petitioner in the post of Village Administrative Officer as per G.O.Ms.No.756 Revenue [Service 8(2)] Department dated 17.08.1993 and in



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the light of orders passed in W.P.No.2648 of 2007 dated 20.02.2007 within a period of eight weeks from the date of receipt of the copy of this order.

Consequently, the connected Miscellaneous Petitions are closed. No costs.

30.04.2025

Internet: Yes/No

Speaking /Non-speaking order

Maya

To

1. The Secretary to Government of Tamil Nadu,
Revenue Department,
Secretariat, Fort St. George,
Chennai 600 009.
2. The Commissioner of Revenue Administration,
Chepauk,
Chennai 600 005.
3. The District Collector,
Perambalur District,
Perambalur.
4. The Tahsildar,
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5. The Accountant General (A&E), Tamil Nadu,
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R.N.MANJULA, J.

Maya

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