



WEB COPY

W.A.No.2013 of 2025



THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03.07.2025

CORAM:

**THE HONOURABLE MR.JUSTICE R.SUBRAMANIAN
AND
THE HONOURABLE MR.JUSTICE K.SURENDER**

**W.A.No.2013 of 2025
and
C.M.P.No.15132 of 2025**

The Block Development Officer,
Poonamalle Panchayat Union,
Tiruvallur District.

...

Appellant

versus

1.Moideen Fathima,
W/o.H.M.Anwar,
No.17, Moottakaran Street,
Mannadi, Chennai - 600 001.

2.The Principal Accountant General (A&E)
Tamilnadu
O/o of the Principal Accountant General (A&E)
Tamilnadu,
361, Annasalai,
Teynampet, Chennai - 600 018.

3.The District Collector,
Thiruvallur District,
Thiruvallur District,
Thiruvallur.

...

Respondents

Prayer: Writ Appeal filed under Clause 15 of the Letters Patent, to set aside
the order passed in W.P.No.33043 of 2018 dated 31.10.2023.

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W.A.No.2013 of 2



For Appellant : M/s.P.Charushree
for Mr.J.Kamaraj

For Respondents : Mr.Murugesh Kasivel - R1
Mr.T.Chandrasekaran
Special Government Pleader - R2 & R3

J U D G M E N T

(Judgment of the Court was made by **R.SUBRAMANIAN, J.**)

Challenge in this appeal is to the order of the learned single Judge made in W.P.No.33043 of 2018 dated 31.10.2023.

2. We see no merit in the appeal. The question as to whether 50% of the services rendered by the part-time panchayat clerks to be counted for pension was the subject matter in several writ petitions before this Court.

3. This Court had in fact held that G.O.(Ms.)No.39 Rural Development and Panchayat Raj Department dated 13.06.2011 conferred the said benefit on part-time panchayat clerks. No doubt the same was withdrawn by G.O.(Ms.)No.77 Rural Development and Panchayat Raj Department dated 12.07.2013.



4. This Court had repeatedly pointed out that the persons who have retired before the issuance of G.O.No.77 would be entitled to the benefit of G.O.No.39 and the same cannot be taken away since a right has accrued to them. The learned single Judge had only followed the earlier pronouncements of this Court to grant the relief to the first respondent.

5. Hence, we do not find any merit in the Writ Appeal. The Writ Appeal therefore fails and it is accordingly *dismissed*. No costs. Consequently, the connected Miscellaneous Petition is closed.

(R.S.M., J.) (K.S., J.)
03.07.2025

Speaking order

Index : No

Neutral Citation : No

sri



To

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and
K.SURENDER, J.

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