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W.P.No.32841 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 29.08.2025

CORAM

THE HONOURABLE Ms. JUSTICE P.T. ASHA

W.P.No.32841 of 2025

D.Edison Arputharaj

... Petitioner

Vs

- 1.The Government of Tamil Nadu
Rep by its Principal Secretary to Government
Municipal Administration and Water Supply Department
Fort St.George, Chennai – 600 009.
- 2.The Director of Municipal Administration
Office of the Directorate of Municipal Administration
75, Urban Administrative Building
Santhome High Road
MRC Nagar, Raja Annamalaipuram
Chennai – 600 028.
- 3.The Director of Local Fund Audit
Integrated Complex of Finance Department
IV Floor, Nanadanam, Chennai.
- 4.The Commissioner
Narasingapuram Municipal Office
Narasingapuram Post, Attur Taluk
Salem District.

... Respondents



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Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus by directing the respondents to consider and pass order on the representation dated 21.03.2023 for bringing the petitioner under the coverage of Old Pension Rules in accordance with G.O.Ms.No.125 dated 27.05.1999 and G.O.Ms.No.198 dated 26.10.1998.

For Petitioner : Mr.V.Vijayashankar

For Respondents : Mr.C.Selvaraj
Additional Government Pleader for R1 & R2
Mr.S.Rajesh
Government Advocate for R4

ORDER

The present writ petition is filed seeking a mandamus to the respondents to consider the representation of the petitioner dated 21.03.2023.

2.1 The case of the petitioner is that he was appointed as Pipe Line Operator / Fitter in Komarapalayam Town Panchayat on 01.08.1886, however, he was regularised only on 12.05.2006, after putting in 20 years of continuous service. Subsequent to his regularisation, he was appointed as Sanitary Supervisory in Gudalur Municipality and later was transferred to Narasingapuram Municipality, the office of the fourth respondent herein, where



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he retired on attaining superannuation on 31.05.2018, He placed reliance on Government Orders in G.O.Ms.No.125 dated 27.05.1999 and G.O.Ms.No.198 dated 26.10.1998, where the Government had sanctioned additional posts for electrical works, plumbing, water pump operators etc., and also regularised the services of the persons working in the Municipalities.

2.2 The grievance of the petitioner is that similarly placed persons who were employed in other Panchayats, were regularised after completion of three years of service, however the petitioner, who had put in continuous service without any break in Komarapalayam Town Panchayat from 01.08.1986, was regularised only on 12.05.2006, i.e., after completing 20 years of service. Since his services were regularised only in 2006, he falls under the new Contributory Pension Rules and was denied of the old Pension Rules. Hence, he had submitted a representation to respondents on 21.02.2023 to consider him under the Old Pension Rules in accordance with G.O.Ms.No.125 dated 27.05.1999 and G.O.Ms.No.198 dated 26.10.1998. Since no action was taken on the representation submitted by him even after a lapse of 18 years, the petitioner is before this Court.



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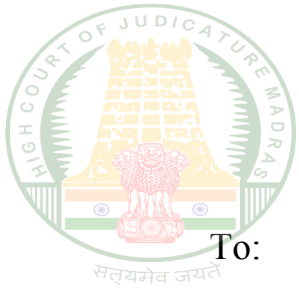
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3. Heard the learned counsel for the petitioner and the learned Additional Government Pleader and the learned Government Advocate appearing for the respondents.

4. Considering the facts and circumstances of the case and also the fact that the petitioner had submitted his representation as early as on 21.02.2023, and the same has not been considered to date, the writ petition is allowed, and a mandamus is issued to the respondents to consider the petitioner's representation dated 21.03.2025 and pass speaking orders within a period of one months from the date of receipt of a copy of this order. No costs.

29.08.2025

Index : Yes / No
Neutral Citation : Yes / No
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P.T. ASHA, J.

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