



W.P.No.48748 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.12.2025

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.48748 of 2025

And

W.M.P.No.54440 of 2025

P.Balasubramaniam

... Petitioner

Vs.

1.The Secretary to Government,
Rural Development and
Panchayatraj Department,
Fort St.George,
Chennai – 600 009.

2.The Director of Rural Development,
Panagal Building,
Saidapet,
Chennai – 600 015.

3.The District Collector,
Trichirapalli District,
Trichirapalli.

4.The Principal Accountant General (A & E) Tamil Nadu,
No.361, Anna Salai,
Chennai – 600 018.

... Respondents

Prayer:

Petition filed under Article 226 of the Constitution of India to



W.P.No.48748 of 2025

issue a Writ of Certiorarified Mandamus to call for the records pertaining to Paragraph 4(b) of G.O.Ms.No.77 Rural Development and Panchayat Raj (P.A-4) Department dated 12.07.2013 of the first respondent and quash the same in so far relates to not counting the services rendered by the petitioner in part time Panchayat Clerk and Panchayat Assistant along with regular service for the purpose of pension and direct the respondents to count 50% services rendered in the post of Part Time Clerk and Panchayat Assistant from 15.08.1982 till 20.04.1999 along with regular service for the purpose of granting pension and to grant monetary benefits to the petitioner from the date of his retirement i.e., 30.04.2020 and disburse all the arrears within the time frame fixed by this Hon'ble Court.

For Petitioner : Mr.N.K.Ponraj
For Respondents : Mr.P.Ganesan
Additional Government Pleader

ORDER

By consent, the writ petition is taken up for final disposal at the admission stage itself.

2.The petitioner has filed this writ petition seeking issuance of Writ of Certiorarified Mandamus to call for the records pertaining to Paragraph 4(b) of G.O.Ms.No.77 Rural Development and Panchayat Raj (P.A-4) Department dated 12.07.2013 of the first respondent and



W.P.No.48748 of 2025

quash the same in so far relates to not counting the services rendered by the petitioner in part time Panchayat Clerk and Panchayat Assistant along with regular service for the purpose of pension and direct the respondents to count 50% services rendered in the post of Part Time Clerk and Panchayat Assistant from 15.08.1982 till 20.04.1999 along with regular service for the purpose of granting pension and to grant monetary benefits to the petitioner from the date of his retirement i.e., 30.04.2020 and disburse all the arrears within the time frame fixed by this Court.

3.The learned counsel appearing for the petitioner submitted that the petitioner was appointed as Part Time Panchayat Clerk in Murugur Village of Thuraiyur Panchayat Union with effect from 15.08.1982 and the said post was upgraded and the petitioner was appointed as Panchayat Assistant with effect from 01.01.1991 and subsequently, he was appointed as Junior Assistant with effect from 21.04.1999 and was promoted as Assistant and he retired on 30.04.2020 on attaining the age of superannuation as Assistant in Thathiengarpet Panchayat Union, Trichirapalli District.



W.P.No.48748 of 2025

WEB COPY

4.The learned counsel appearing for the petitioner further submitted that the Government of Tamil Nadu issued G.O.Ms.No.39, Rural Development Department and Panchayat Raj dated 13.06.2011 in and by which the retired employees were given the benefit of counting 50% of part time Panchayat service and the said guidelines were modified by way of G.O.Ms.No.77 Rural Development Department and Panchayat Raj (PA4) Department dated 12.07.2013. The learned counsel further submitted that the petitioner was granted pension by counting the services rendered between 21.04.1999 till 30.04.2020 and his part time services from 15.08.1982 till 20.04.1999 was not taken into account by virtue of G.O.Ms.No.77 dated 12.07.2013.

5.The learned counsel appearing for the petitioner further submitted that counting 50% of part time service was the subject matter of various litigation before this Court and the Hon'ble Division Bench of this Court has categorically held that those employees who got absorbed as regular Government servant prior to 01.04.2003 are entitled to count 50% of their part time service as Panchayat Clerk. In this regard, the learned counsel relied upon the decision of the Hon'ble



W.P.No.48748 of 2025

Division Bench of this Court in W.A.No.2358 of 2021 [The Government of Tamil Nadu and others vs. V.Natesan] dated 16.12.2021.

6.The learned Additional Government Pleader submitted that earlier the Government of Tamil Nadu issued G.O.Ms.No.39, Rural Development Department and Panchayat Raj Department dated 13.06.2011 in and by which the retired employees were given the benefit of counting 50% of part time Panchayat service, however, the said guidelines were modified by way of G.O.Ms.No.77 Rural Development Department and Panchayat Raj (PA4) Department dated 12.07.2013, in and by which, counting 50% of part time Panchayat service was withdrawn.

7.Heard the arguments advanced on either side and perused the materials available on record.

8.The petitioner was appointed as Part Time Panchayat Clerk in Murugur Village of Thuraiyur Panchayat Union with effect from 15.08.1982 and the said post was upgraded and the petitioner was appointed as Panchayat Assistant with effect from 01.01.1991 and subsequently, he was appointed as Junior Assistant with effect from



W.P.No.48748 of 2025

21.04.1999 and was promoted as Assistant and he retired on 30.04.2020 on attaining the age of superannuation as Assistant in Thathiengarpet Panchayat Union, Trichirapalli District. The petitioner was granted pension by counting the services rendered between 21.04.1999 till 30.04.2020 and his part time services from 15.08.1982 till 20.04.1999 was not taken into account by virtue of G.O.Ms.No.77 dated 12.07.2013.

9.However, paragraph 4(b) of G.O.Ms.No.77 dated 12.07.2013 in and by which, counting 50% of part time Panchayat service was withdrawn, was challenged before the Hon'ble Division Bench of this Court in W.A.No.2358 of 2021 [The Government of Tamil Nadu and others vs. V.Natesan] dated 16.12.2021 and the Hon'ble Division Bench of this Court set aside paragraph 4(b) of G.O.Ms.No.77 Rural Development Department and Panchayat Raj (PA4) Department dated 12.07.2013.

10.In view of the above, Paragraph 4(b) of G.O.Ms.No.77 Rural Development and Panchayat Raj (P.A-4) Department dated 12.07.2013 of the first respondent is set aside. This Court directs the



W.P.No.48748 of 2025

WEB COPY

respondents to count 50% services rendered by the petitioner in the post of Part Time Clerk and Panchayat Assistant from 15.08.1982 till 20.04.1999 along with regular service for the purpose of granting pension and to grant monetary benefits to the petitioner from the date of his retirement i.e., 30.04.2020 and disburse all the arrears to the petitioner, as expeditiously as possible.

11.The writ petition is allowed. No costs. Consequently, the connected miscellaneous petition is closed.

16.12.2025

pri

Index: Yes/ No
Speaking Order: Yes/ No
NCC: Yes/ No

To

- 1.The Secretary to Government,
Rural Development and
Panchayatraj Department,
Fort St.George,
Chennai – 600 009.
- 2.The Director of Rural Development,
Panagal Building,
Saidapet,
Chennai – 600 015.

7/8



WEB COPY



W.P.No.48748 of 2025

M.DHANDAPANI,J.
pri

3.The District Collector,
Trichirapalli District,
Trichirapalli.

4.The Principal Accountant General (A & E) Tamil Nadu,
No.361, Anna Salai,
Chennai – 600 018.

W.P.No.48748 of 2025
And
W.M.P.No.54440 of 2025

16.12.2025