



W.P.(MD)No.4936 of 2021

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 17.12.2025

CORAM:

THE HON'BLE MR.JUSTICE R.VIJAYAKUMAR

W.P.(MD).No.4936 of 2021
and
W.M.P(MD)No.4008 of 2021

K.G.Navaneethan

... Petitioner

Vs.

1. The Officer In Charge,
Bureau Of Naviks,
Chettah Camp,
Mankhurd,
Mumbai 400 088.
2. The Director General Coast Guard,
Coast Guard Head Quarters,
National Stadium Complex,
New Delhi 110 001.
3. Union Of India,
Rep. By Its Secretary,
Government of India,
Ministry of Defence,
Room No.101, South Block,
New Delhi 110 011.

... Respondents



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Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, calling for the records of the Respondents in connection with the impugned order passed by the 2nd respondent in NK/0221/00392-S dated 10.11.2020 and quash the same and further direct the respondents to sanction invalid pension within a reasonable time to the petitioner.

For Petitioner : Mr.S.P.Ilangovan

For R1 to R3 : Mr.K.Govindarajan
Deputy Solicitor General of India

ORDER

The present writ petition has been filed by challenging the order dated 10.11.2020 passed by the 2nd respondent herein wherein, the request of the petitioner to sanction invalid pension has been rejected.

2. The learned Deputy Solicitor General of India appearing on behalf of the respondents 1 to 3 brought to the notice of the Court that the Rule 38 and 49 of the Central Civil Services (Pension) Rules, 1972 have been amended with effect from 04.01.2019.



W.P.(MD)No.4936 of 2021

3. A clarification to the office memorandum has been issued by the Ministry of Personnel, Public Grievances & Pensions (Department of Pension & Pensioners' Welfare) on 12.02.2016 and relying upon the said office memorandum, the Hon'ble Supreme Court in its decision in the case of **Union of India and Others vs. P.A.Thomas** in S.L.P.(C).No.20339 of 2011 has disposed of the writ petition.

4. According to the learned Deputy Solicitor General of India, the case of the writ petitioner may be re-considered in the light of the Judgement in **Union of India and Others vs. P.A.Thomas** in S.L.P. (C).No.20339 of 2011 as well as the office memorandum dated 12.02.2019.

5. In view of the above said facts, the order impugned in the writ petition is set aside and the matter is remitted back to the file of the 2nd respondent herein to consider and pass orders in the light of the decision of the Hon'ble Supreme Court as well as the Office Memorandum cited supra within a period of eight (8) weeks from the date of receipt of a copy of this order.



W.P.(MD)No.4936 of 2021

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6. With the above deliberations, the writ petition stands disposed of.

No costs. Consequently, connected miscellaneous petition is closed.

17.12.2025

NCC :yes/No
Index :yes/No
Internet:yes/No
rgm



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R.VIJAYAKUMAR, J.

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