



W.P.(MD)No.19934 of 2020

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 14.10.2025

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THE HONOURABLE MR JUSTICE ABDUL QUDDHOSE

W.P.(MD)No.19934 of 2020

O.Gnanasekaran

... Petitioner

Vs.

The Commissioner,
Tiruchirapalli Corporation,
Trichy District.

... Respondent

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Certiorarified Mandamus, calling for the records of the respondent resulting in the respondent's impugned order dated 16-07-2020 passed in Na.Ka.No.1083/2018/C6 (Maiyam) and quash the same and directing the respondent to take the 50 percentage on the periods from 01-07-1983 to 02-04-1991 worked on daily wages under the respondent Corporation along with the periods from the date of regularizing in the post of Driver till the date of retirement i.e., on 30-04-2018 for calculating the pension and pensionary benefits and any other benefits as legally entitled to get for the petitioner and revise the pension on that basis by considering the G.O.Ms.No.408 finance (Pension) Department, dated 25.08.2009 and the various decisions by this Court.



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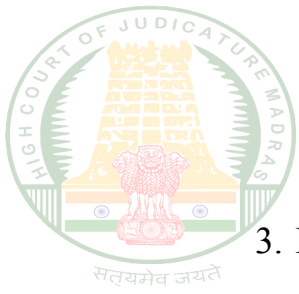
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For Petitioner : Mr.V.R.Venkatesan
For Respondent : Mr.K.S.Kishore Ram,
Standing Counsel
for M/s.R.B.Law Associates

ORDER

This Writ Petition has been filed challenging the impugned order dated 16.07.2020 passed by the respondent rejecting the petitioner's request to compute the entire service period from 01.07.1983 to 02.04.1991 rendered by the petitioner on temporary service prior to his provincialisation of his service on 12.11.2012 for the purpose of counting as qualified service for computation of pension and to pay pension and retirement benefits in terms thereof.

2. The prayer sought for in this writ petition is no longer *res integra* as the decision of the Full Bench of this Court in the case of ***Government of Tamil Nadu and Others Vs. R.Kaliyamoorthy*** reported in ***2019 (6) CTC 705***, has made it clear that those Government servants should be appointed before 01.04.2003, but, were absorbed in regular service after 01.04.2003, will not be entitled to count half of their past service for the purpose of determination of qualifying service for pension.



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3. In the case on hand, the petitioner was admittedly absorbed in regular service only on 12.11.2012 and since he has been absorbed in regular service only after 01.04.2003, which is the cut-off date, the question of computing the entire period of service of the petitioner i.e., on 01.07.1983 to 02.04.1991 which was rendered by him on temporary basis prior to the provincialisation of his service on 12.11.2012 for the purpose of counting as qualified service for the computation of pension and future retirement benefits does not arise.

4. In view of the well settled law as laid down by the decision of the Full Bench of this Court in the case of ***Government of Tamil Nadu and Others Vs R.Kaliyamoorthy*** reported in ***2019 (6) CTC 705***, there is no merit in this writ petition and accordingly, this writ petition stands dismissed. No costs.

14.10.2025

NCC:yes/no
Index:yes/no
Internet:yes/no
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ABDUL QUDDHOSE, J.

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