



WEB COPY



WP(MD)No.20465 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **14.10.2025**

CORAM:

THE HONOURABLE **MR.JUSTICE K.KUMARESH BABU**

W.P.(MD)Nos.20465 of 2024 &  
WMP (MD).Nos.17365 to 17367 of 2024

L.K.Baskar

... Petitioner

/vs./

- 1.The State of Tamil Nadu,  
Rep., by its Principal Secretary,  
Department of Municipal Administration and Water Supply  
Fort St., George, Chennai – 600 009.
- 2.The Director of Municipal Administration  
MRC Nagar, No.75, Santhome High Road,  
Raja Annamalaipuram, Chennai – 600 028.
- 3.The Commissioner,  
Thoothukudi Municipal Corporation,  
Thoothukudi, Thoothukudi District.
- 4.The Commissioner,  
Tirunelveli Municipal Corporation,  
Tirunelveli, Tirunelveli District.

... Respondents

**PRAYER** : Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Certiorarified Mandamus to call for the records relating to the impugned Government orders issued by the 1<sup>st</sup> respondent Principal Secretary in G.O.(D).No.411, Municipal Administration and Water Supply (MC.5),



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Department dated 30.07.2024 and consequential G.O(D).No.412 Municipal Administration and Water Supply (MC.V), Department dated 31.07.2024, quash the same and further direct the respondents herein to permit the petitioner to retire from service on superannuation w.e.f., 31.07.2024 and to disburse his pension and all other terminal benefits, and pass such further other suitable orders.

For Petitioner : Mr.Isaac Mohanlal Senior Advocate for  
M/s.Isaac Chambers

For Respondents : Mr.F.Deepak Spl.G.P., for RR1 to R2

Mr.N.Anand Kumar for R3

Mr.A.Sivanu Pandian G.A., for R4

### **ORDER**

The Writ Petition had been filed to quash the impugned Government orders issued by the 1<sup>st</sup> respondent Principal Secretary in G.O.(D).No.411, Municipal Administration and Water Supply (MC.5), Department dated 30.07.2024 and consequential G.O(D).No.412 Municipal Administration and Water Supply (MC.V), Department dated 31.07.2024, and further direct the respondents herein to permit the petitioner to retire from service on superannuation w.e.f., 31.07.2024 and to disburse his pension and all other terminal benefits, and pass such further other suitable orders.



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2. Under the orders impugned herein, the petitioner had been issued with an order of suspension and retention in service on the date of his superannuation i.e., 30.07.2024 & 31.07.2024 on the verge of his superannuation.

3. It is to be noted that FR 56(3) had been omitted by way of an amendment and Rule 1(A) had been introduced with regard to the Government employees who had been covered by the Tamil Nadu Pension Rules. As per the Proviso to the amended Rules, employees against whom the order of suspension and retention of service was passed on the verge of retirement, are deemed to have been retired from service on the said date and any disciplinary proceedings can be proceeded with under the Provisions of Tamil Nadu Pension Rules, 1948. In view of the said amendment that had been introduced to FR 56, the petitioner who was suspended and retained in service on the date of his superannuation is now deemed to have been retired from service. In view of the subsequent amendment to the Rules, the impugned orders cannot be allowed to stand and accordingly are set aside.

4. In fine, the Writ Petition is allowed and the impugned orders are set aside and the petitioner is deemed to have retired from service from the date of his



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superannuation. However, there shall be no order as to costs. Consequently,

connected Miscellaneous Petitions are closed.

**14.10.2025**

Index : Yes / No

Internet : Yes / No

GBA



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**K.KUMARESH BABU, J.**

Gba

Order made in  
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