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W.P.No.12660 of 2016

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.01.2026

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THE HONOURABLE Mr.JUSTICE C.KUMARAPPAN

W.P.No.12660 of 2016

and

WMP.No.11011 of 2016

Tamil Nadu Retired Govt.
Employee's Association
(Regn.No.111 of 2002)
No.3, (G1) Krishnappa Street,
Chepauk, Chennai – 600 005.
Rep. by its General Secretary,
S.Duraikannu

... Petitioner

Vs.

1. The Principal Secretary to Govt.,
Govt. of Tamil Nadu,
Finance (Pension) Department,
Secretariat,
Chennai – 600 009.

2. The Principal Secretary to Govt.
Govt. of Tamil Nadu,
Revenue Department,
Secretariat,
Chennai – 600 009.

3. The Commissioner of Revenue Administration,
Ezhilagam,
Chennai – 600 005.

... Respondents



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Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus, calling for the records of the first respondent in his proceedings Letter No.28490/PGC/13 and quash his order dated 19.02.2014 and direct him to extend the benefits of the G.O.Ms.408, Finance (Pension) Dept dated 25.08.2009 to the erstwhile Thotti and Thalayari subsequently redesignated as Village Assistants by taking their past service since the year 1980 for calculation of Pensionary Benefits as in the case of other Government servants as per the representation of the petitioner made to him on 08.02.2016.

For Petitioner : Mr.S.Balasubramanian

For Respondents : Dr.S.Suriya,
Additional Government Pleader

ORDER

The present Writ Petition has been filed challenging the impugned order dated 19.02.2014, by and in which the request made by the members of the petitioner Association to take into account their part-time service for the purpose of calculating qualifying service for pension was rejected.

2.Heard the learned counsel appearing on either side and perused the materials available on record.



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3.By the impugned order, the first respondent rejected the request of the petitioner Association seeking the benefit of G.O.Ms.No.408, Finance (Pension) Department, dated 25.08.2009, on the ground that the members of the petitioner Association were only part-time employees, whereas the said Government Order is applicable only to full-time employees.

4.A perusal of paragraph 2 of G.O.Ms.No.408, Finance (Pension) Department, dated 25.08.2009, would clearly indicate that the said Government Order stipulates certain pre-conditions, and Clause 2(i) thereof mandates that its applicability is confined only to full-time employees.

5.In the present case, it is an admitted fact that the members of the petitioner Association seek inclusion of the period during which they served as part-time employees. Therefore, the reliance placed by the petitioner on G.O.Ms.No.408, Finance (Pension) Department, dated 25.08.2009, is misconceived and cannot be extended to the members of the petitioner Association, who are admittedly part-time employees. Hence, the impugned order passed by the first respondent is in accordance with law, and this Court does not find any infirmity therein.



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6. In the result, the Writ Petition is dismissed. Consequently, the connected Miscellaneous Petition is closed. No costs.

23.01.2026

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Index : Yes

Speaking order

Neutral Citation : Yes

To

1. The Principal Secretary to Govt.,
Govt. of Tamil Nadu,
Finance (Pension) Department,
Secretariat,
Chennai – 600 009.
2. The Principal Secretary to Govt.
Govt. of Tamil Nadu,
Revenue Department,
Secretariat,
Chennai – 600 009.
3. The Commissioner of Revenue Administration,
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C.KUMARAPPAN, J.

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