



WP(MD). No.8147 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated : 08/04/2026

CORAM

THE HON'BLE MR. JUSTICE MUMMINENI SUDHEER KUMAR

WP(MD). No.8147 of 2026

M.Soloman

... Petitioner

Vs.

1. The Principal Secretary to Government,
Department of Revenue Administration, Secretariat,
Fort St. George, Chennai.

2. The Commissioner of Revenue Administration,
Chepauk, Chennai-600 005..

3. The District Collector,
Collectorate,
Thoothukudi..

4. The District Revenue Officer,
Collectorate,
Thoothukudi.

5. The Revenue Divisional Officer,
Thiruchendur,
Thoothukudi..

6. Tahsildar,,
Earel, Thoothukudi District.



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7. The Principal Accountant General (A and E)
Audit Office, Teynampet, Chennai-600 018.

... Respondents

PRAYER:- Writ Petition, filed under Article 226 of the Constitution of India, praying this court to issue a WRIT OF CERTIORARIFIED MANDAMUS, to call for the records pertaining to the impugned order in Na.Ka.A3/896/2024 dated 08.11.2025 on the file of Respondent No.6 and quash the same as illegal and consequently for a direction, directing the Respondent No.6 to reconstruct the service register of the petitioner and provide pension and other retirement benefits to the petitioner in the Post of Village Assistant with effect from 31.03.2002 (i.e. his date of retirement) with all consequential benefits and arrears within the time stipulated by this Court.

For Petitioner	: Mr.T.Aswin Raja Simman
For R1 to R6	: Mr.B.Ramanathan Additional Government Pleader
For R7	: M/s/Chamundi Bose

ORDER

This Writ petition has been filed aggrieved by the impugned order bearing Na.Ka.No.Na.Ka.A3/896/2024 dated 08.11.2025, whereby the request of the petitioner for grant of pension taking into account the service rendered by the petitioner as Village Assistant has negated by the sixth respondent on the ground that the exact date of birth of the individual cannot be known and the case of the petitioner would be considered for grant of pension only if the exact date of birth of the individual is known.



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2. The petitioner herein, who was appointed as Village assistant, on 08.05.1981 continued in service till 29.07.2025. It was on that date the sixth respondent came to know that the actual date of birth of the petitioner was 04.03.1942 but not 03.09.1953 as was entered in the Service Register and thus, found that the petitioner continued in service beyond the age of 60 years and accordingly, he was relieved from service on 29.07.2002.

3. From the said proceedings bearing Na.Ka.No.A4/6926/2002, dated 29.07.2002, it is evident that the correct date of birth of the petitioner was noted as 04.03.1942 and accordingly, it was concluded that the petitioner was continuing in service beyond the age of 60 years as on 29.07.2002 and he was relieved from service. Having considered the said date, namely 04.03.1942 as the correct date of birth of the petitioner and having relieved the petitioner from service, it is not open for the sixth respondent now to refuse to consider the case of the petitioner for grant of pension for the service already rendered by the petitioner till the date of his relief on 29.07.2002 on the sole ground that the exact date of birth of the petitioner is not known.



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4. The only reason assigned in the impugned proceeding is that the exact date of birth of the petitioner is not known. In the light of the stand of the sixth respondent in proceedings dated 29.07.2002 about the date of birth of the petitioner, it is not correct on the part of the sixth respondent to issue the impugned proceedings on the ground that the exact date of birth is not known.

5. This matter earlier came up for consideration before this Court on 27.03.2026. Having taken note of the trivial nature of the dispute involved in the matter, the same was adjourned to today to enable the learned Additional Government Pleader to get instructions in the matter.

6. Today, Mr.B.Ramanathan, learned Additional Government Pleader fairly submitted that the matter may be remitted back to the sixth respondent for re-considering the claim of the petitioner for grant of pensionary benefits in view of the service already rendered by the petitioner.

7. In the light of the above, the impugned proceedings dated 08.11.2025 cannot be sustained and the same is hereby quashed.



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The matter is remitted back to the sixth respondent for considering the claim of the petitioner for grant of pension and other benefits for which he is entitled to in accordance with law by duly taking into consideration the date of birth of the petitioner as 04.03.1942. The sixth respondent is directed to undertake the exercise as directed above and forward necessary proposals to the seventh respondent and pass appropriate orders as expeditiously as possible, at any rate within a period of eight weeks from the date of receipt of a copy of this order. In case, any further information is required by the sixth respondent, the sixth respondent may obtain such information from the petitioner and the petitioner shall furnish the same.

8. In fine, this writ petition is allowed. No costs.

08.04.2026

NCC : Yes/No
Index : Yes/No
Internet : Yes/No
CM



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To,

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MUMMINENI SUDHEER KUMAR,J

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