



REV.APLC(MD)No.233 of

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated : 03.06.2026

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**THE HONOURABLE MR. JUSTICE N.SATHISH KUMAR
and
THE HONOURABLE MR. JUSTICE M.JOTHIRAMAN**

REV.APLC(MD)No.233 of 2019
and
CMP(MD)No.4281 of 2025

1. The Secretary to Government,
Rural Development Department,
Fort St.George, Chepauk,
Chennai.

2. The District Collector,
Nagercoil,
Kanyakumari District.

3. The Block Development Officer cum Commissioner,
Munchirai Panchayat Union,
Kanyakumari District.

... Petitioners

Vs.

1. C.Srinivasan (Died)
J.Saranya
(R1 is substituted vide order in CMP(MD)No.4281/2025 dated 03.06.2026)

2. The President,
Vilathurai Village Panchayat,
Kappukadu Post,
Kanyakumari District.

... Respondents

PRAYER :- Petition filed under Order 47 Rules 1 & 2 read with Section 114 of Civil Procedure Code, to review the order dated 18.09.2018 made in W.A(MD)No.658 of 2018.



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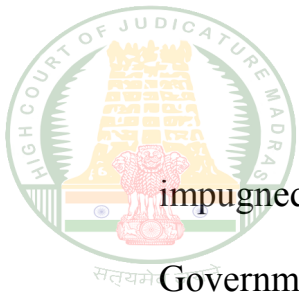
For Petitioner : Mr.B.Saravanan, Senior Counsel, for
Mr.M.P.Senthil, Counsel for Government of Tamilnadu
For R1 : Mr.A.Balakrishnan

ORDER

(Order of the Court was made by **N.SATHISH KUMAR, J.**)

The review petition has been filed to review the order dated 18.09.2018 made in W.A(MD)No.658 of 2018. Pending review, the 1st respondent / writ petitioner died and his wife namely, J.Saranya has filed CMP(MD)No.4281 of 2025 to substitute her in the place of her deceased husband. Since the issue relates to service benefits, the wife of the deceased 1st respondent being the legal heir of the deceased, is necessarily to be substituted in the place of her deceased husband. Hence, CMP(MD)No.4281 of 2025 is ordered.

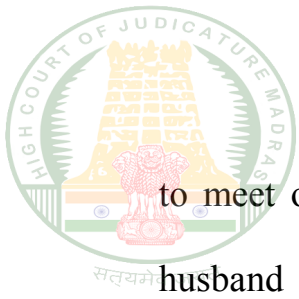
2. The deceased husband of the 1st respondent herein, was appointed as Pump Operator on 18.01.2001 on consolidated pay in the 4th respondent Panchayat. He sought regularisation as per G.O.Ms.No.151, Social Welfare and Nutritious Meal Scheme Department, dated 16.10.2008 which was rejected on the ground that he was appointed only as a part time employee and therefore, the said G.O cannot be applied to his claim. Challenging the said rejection, the employee filed writ petition and the learned Single Judge set aside the



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impugned rejection order and allowed the writ petition, against which, the Government went on appeal. A Division Bench of this Court by judgment dated 18.09.2018 had dismissed the writ appeal. Seeking to review the said judgment, the present review petition has been filed mainly on the ground that the husband of the 1st respondent was appointed only as part time water supply attender in the 2nd respondent village panchayat and therefore, G.O.Ms.No.151 is not applicable to him and that the said G.O., is applicable to differently abled persons working under consolidated pay in Government posts which carrying regular time scale of pay. Therefore, the learned Government counsel seeks to review the said judgment.

3. We have heard the learned counsel appearing on either side and perused the Government Order in G.O.Ms.No.151. The said G.O., clearly indicates that those who are working on consolidated pay for more than two years, shall be brought under time scale of pay. Absolutely, there is no distinction whatsoever made in the said G.O., that the benefit of G.O cannot be extended to persons who were working as part time employee. The very appointment of the employee did not indicate that he was directly appointed as part time employee on consolidated pay in the post where the existing incumbent was transferred to another panchayat. Since there was vacancy, the husband of the 1st respondent was appointed in the said vacancy on regular basis



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to meet out the contingency on consolidated pay. It is not disputed that the husband of the 1st respondent had completed two years of service in the said post when G.O.Ms.No.151 came to be issued. In such a view of the matter, we do not find any ground to review the judgment made in the writ appeal.

4. Accordingly, the Review Petition is dismissed. It is made clear that the benefits, if any, payable to the deceased employee, shall be paid to the 1st respondent herein from the date of the order of the Writ Court. Such payment shall be made within a period of three months from the date of receipt of a copy of this order.

[N.S.K., J.] & [M.J.R., J.]

03.06.2026

Index : Yes / No
Neutral Citation : Yes / No
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To

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ORDER MADE IN
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