



W.P.(MD) No.12791 of 2026

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 28.04.2026

CORAM:

THE HONOURABLE MR.JUSTICE MUMMINENI SUDHEER KUMAR

W.P.(MD) No.12791 of 2026

and

W.M.P.(MD) No.9611 of 2026

Ramu

... Petitioner

-VS-

- 1.The Additional Chief Secretary
Revenue and Disaster Management Department
Government of Tamilnadu
Secretariat, Chennai-9
- 2.The Secretary to Government
Government of Tamilnadu
Finance (Pension) Department
Chennai-9
- 3.The Accountant General
The Accountant General
Accounts Entitlements Office
361, Anna Salai, Teynampet
Chennai-18
- 4.The District Collector
Thanjavur District
- 5.The Revenue Divisional Officer
Thanjavur District



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6.The Tahsildar
Papanasam Taluk
Thanjavur District

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a writ of certiorarified mandamus to call for the records pertaining to the pension order in PPO No.R0129807/VOA dated 12.09.2025 passed by third respondent and quash the same and further direct the respondent No.6 to send fresh pension proposal to third respondent by calculating the service of petitioner from 01.06.1995 as Village Assistant in time scale of pay and till the date of retirement dated 31.05.2025 in the post of Village Administrative Officer accumulating 30 years of pensionable service, as per the dictum laid down in W.A.(MD) No.1200 of 2025 and followed in W.P.(MD) No.9118 of 2025.

For Petitioner : Mr.T.S.Mohamed Mohideen

For Respondents : Mr.S.Shaji Bino
Spl. Government Pleader for R1, R2, R4 to R6
Ms/Chamundi Bose for R3

ORDER

Mr.S.Shaji Bino, learned Special Government Pleader, takes notice for the respondents 1, 2, 4 to 6 and Ms.Chamundi Bose, learned counsel, takes notice for the third respondent.



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2. With the consent of both sides, this writ petition is disposed of at the admission stage.

3. Heard the learned counsel for the petitioner and the learned Special Government Pleader appearing for the respondents 1, 2, 4 to 6 and learned counsel appearing for the third respondent.

4. This writ petition has been filed seeking a writ of certiorarified mandamus to call for the records pertaining to the pension order in PPO No.R0129807/VOA, dated 12.09.2025, passed by third respondent, to quash the same and to direct the sixth respondent to send a fresh pension proposal to the third respondent by calculating the service of the petitioner from 01.06.1995 as Village Assistant in time scale of pay till the date of his retirement i.e. 31.05.2025 in the post of Village Administrative Officer accumulating 30 years of pensionable service, as per the dictum laid down in W.A.(MD) No.1200 of 2025 and followed in W.P.(MD) No.9118 of 2025.

5. The petitioner herein was initially appointed as Thalaisyari/Village Assistant on 09.09.1988. Subsequently, through G.O(Ms)No.625, Revenue Department dated 06.07.1995, the services of the



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pay, but that cannot be treated as a regular appointment to the post of Village Assistant.

7. Learned counsel appearing for the petitioner contended that the issue that arose for consideration in this writ petition has already fallen for consideration before this Court in W.P.(MD) No.10819 of 2022 and batch, by order dated 14.03.2024 [***N.Andiyapillai Vs. The Principal Secretary to Government and others***], whereby the learned Single Judge of this Court allowed the writ petitions directing the respondents to consider the entire service rendered by the petitioners therein as Village Assistant for the purpose of fixation of pensionary benefits. He further submitted that the said order of the learned Single Judge of this Court was carried in appeal by the respondents in W.A.(MD) No.1200 of 2025 and batch and the said W.A.(MD) No.1200 of 2025 and batch [***The Additional Chief Secretary to Government and others Vs. K.Marimuthu***] were dismissed by the learned Division Bench of this Court, by a Judgment dated 03.02.2026.

8. Learned counsel appearing for the petitioner submitted that the said Judgment of the learned Division Bench of this Court has been given effect to by the respondents and accordingly the pension of the petitioners



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therein has been revised. He also further submitted that the learned Single Judge of this Court, following the decision of the learned Division Bench referred to above, has allowed yet another W.P.(MD) No.7689 of 2021, by an order dated 24.02.2026 [***Velusamy Vs. The Secretary to Government and others***].

9. On the other hand, Mr.S.Shaji Bino, learned Special Government Pleader appearing for the respondents 1, 2 and 4 to 6, submitted that he does not dispute the orders relied upon by the learned counsel appearing for the petitioner referred to above. However, he submitted that the matter can be remanded back to the respondents for reconsideration in the light of the orders passed by this Court referred to above.

10. This Court has carefully considered the submissions made on either side and also perused the entire materials available on record.

11. Having perused the Judgment passed by the learned Division Bench of this Court, wherein the case of persons whose services were brought into the regular time scale through G.O.(Ms) No.625, Revenue Department, dated 06.07.1995 had fallen for consideration, the learned Division Bench of



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this Court, after having taken into consideration all the contentions raised on behalf of the State, arrived at the conclusion that the writ petitioners therein are entitled to count the service rendered by them as Village Assistant in full for the purpose of fixation of their pension. The relevant paragraph from the said order of the learned Division Bench reads thereunder:

“9. In view of the submission of Thiru.M.Ajmal Khan, learned Additional Advocate General, on instructions, from the Government, the service of the Village Assistants from the date of the appointment could not be termed as “non-provincialised” service, this Court is inclined to hold that, in all subject matters of these cases before this Court where a Village Assistant is promoted as Village Administrative Officer, the full service rendered as Village Assistant after 01.06.1995 as well as Village Administrative Officer shall be taken into account for computing the pensionary benefits. In view of the above finding that Village Assistant service is not termed as non provincialised service, reliance of the G.O.Ms.No.73 Revenue and Disaster management [Ser.8(1)] Department, dated 13.02.2025, subject to the result of these Writ Appeals need not be considered. Therefore, the writ Court had correctly directed the Government to reckon the writ petitioner's full regular service rendered as a Village Assistant and Village



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Administrative Officer as qualifying service and this Court finds no merit in these appeals and all the appeals are liable to be dismissed.”

12. From the perusal of the Judgment of the learned Division Bench of this Court and the averments made in the present writ petition, this Court is convinced that the case of the petitioner herein is identical to the case dealt with by the learned Division Bench of this Court even on factual aspects and therefore the petitioner herein cannot be denied the very same benefit which was upheld by the learned Division Bench of this Court.

13. In the light of the above, the impugned proceedings of the third respondent, dated 12.09.2025 cannot be sustained and the same is hereby quashed. Consequently, the respondents are directed to calculate the service rendered by the petitioner from 06.07.1995 to 01.03.2016 as Village Assistant for the purpose of fixation of his pension, together with the service rendered by the petitioner as Village Administrative Officer and issue orders afresh. The monetary benefits payable to the petitioner shall also be calculated and paid to him as expeditiously as possible, at any rate within period of eight weeks from the date of receipt of a copy of this order.



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14. Accordingly, this writ petition is allowed. No costs. Consequently, the connected miscellaneous petition is closed.

28.04.2026

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

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To:

- 1.The Additional Chief Secretary,
Revenue and Disaster Management Department,
Government of Tamilnadu,
Secretariat, Chennai-9.
- 2.The Secretary to Government,
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Finance (Pension) Department,
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MUMMINENI SUDHEER KUMAR, J.

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