



W.P.(MD)No.11093 of 2016

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 09.01.2026

CORAM

**THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN
and
THE HONOURABLE MRS.JUSTICE R.KALAIMATHI**

W.P(MD)No.11093 of 2016

T.Shanmugavel

... Petitioner

Vs.

- 1.The Government of Tamilnadu,
Rep. by Secretary to Government,
Finance (Pension) Department,
Fort St.George, Chennai – 9.
 - 2.Principal Chief Conservator of Forests,
Panagal Building, Chennai – 15.
 - 3.The Divisional Forest Officer,
Social Forestry Division,
Ramnad District.
 - 4.The Principal Accountant General,
The Principal Accountant General of Tamil Nadu,
Teynampet, Chennai – 18.
 - 5.The Tahsildhar,
Kadaladi Tatluk,
Ramnad District.
- ... Respondents



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Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, calling for the records of the 4th respondent in the proceedings in Pen26/1/12621313/ADV dated 12.04.2016 and quash the same and further directing the Respondents from 1 to 3 and 5, to count the half of the service rendered by the petitioner as a social forestry worker from 01.04.1983 to 18.02.2009 along with the regular service as V.A.O. from 19.02.2009 to 31.12.2015 as a qualifying service and send the revised pension proposal to the 4th respondent and to further direct the 4th respondent to sanction the eligible pension and all other terminal benefits to the petitioner.

For Petitioner : No appearance

For Respondents : Mr.S.Shaji Bino,
Spl. Govt. Pleader for R1 to R3 & R5.
Mr.P.Gunasekaran for R4

ORDER
(By G.R.SWAMINATHAN, J.)

None appears for the writ petitioner.

2. There is no need to adjourn this case on account of counsel's absence because the issue raised in the writ petition is squarely covered



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by the decision of the Hon'ble Full Bench reported in **2019 (6) CTC 705**

(Government of Tamil Nadu vs. R.Kaliyamoorthy).

3.The writ petitioner herein was initially appointed as Social Forestry Watcher in the Forest Department on 01.04.1983 on daily wage basis. He continued in the very same capacity till 18.02.2009. Subsequently, he was appointed as Village Administrative Officer vide order dated 14.02.2009. The writ petitioner reached age the superannuation on 31.12.2015. The demand of the writ petitioner is that 50% of the services put in by him as Social Forestry Watcher should be reckoned for pensionary purposes. Seeking this relief, this writ petition has been filed.

4.The Hon'ble Full Bench of this Court in the aforesaid decision had held as follows:-

“45. In the light of the above, we answer the reference as follows:-

- i) Those who are freshly appointed on or after 01.04.2003 are not entitled to pension in view of proviso to Rule 2 of Tamil Nadu Pension Rules, 1978 inserted by G.O.Ms.No.259 dated 06.08.2003*



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(ii) *Those government servants/employees appointed prior to 01.04.2003 whether on temporary or permanent basis in terms of Rule 10 (a) (i) of Tamil Nadu State and Subordinate Service Rules will be entitled to get pension as per the Tamil Nadu Pension Rules, 1978.*

(iii) *In case, a government employee/servant had also rendered service in non-provincialised service, or on consolidated pay or on honorarium or daily wage basis and if such services were regularised before 01.04.2003, half of such service rendered shall be counted for the purpose of conferment of pensionary benefits.*

(iv) *Those government servants who were appointed in the aforesaid four categories before the cut off date and later appointed under Rule 10 (a) (i) of Tamil Nadu State and Subordinate Service Rules before 01.04.2003 and absorbed into regular service after 01.04.2003 will not be entitled to count half of their past service for the purpose of determination of qualifying service for pension.*

(v) *Those government servants who were appointed in the aforesaid four categories before 01.04.2003 but were absorbed in regular service after 01.04.2003 will not be entitled to count half of their past service for the purpose of determination of qualifying service for pension.”*



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5.The case on attracts direction No.5. Respectfully applying the directions laid down by the Hon'ble Full Bench, we have to necessarily dismiss the writ petition. It is accordingly dismissed. No costs.

(G.R.S. J.) & (R.K.M. J.)
09.01.2026

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