



W.P(MD)No.14533 of 2016

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 31.10.2022

CORAM

**THE HONOURABLE MRS.JUSTICE S.SRIMATHY**

W.P(MD).No.14533 of 2016

C.Karuppaiah,

: Petitioner

Vs

1. The Principal Accountant General  
(Accounts and Entitlements)

361 Anna Salai, Teynampettai,  
Chennai 600 018.

2. The Principle Secretary to the State Govt.  
of Tamilnadu,  
Rural Development and  
Panchayat Raj Department,  
Secretariat, Chennai 600 009.

3. The Commissioner,  
Directorate of Rural Development and  
Panchayat Raj Department,  
Panagal Building,  
Saidapet, Chennai 600 015.

4. The District Collector,  
Sivagangai District.

: Respondents

**Prayer** : Writ Petition filed under Article 226 of the Constitution of India,



W.P(MD)No.14533 of 2016

praying this Court to issue a Writ of Mandamus, directing the respondents to take into account half of the service of the petitioner from 01.11.1979 to 18.01.1991 for the purpose of pension, arrears and all attendant terminal benefits with 18% of interest p.a.

For Petitioner : Mr.P.Ganapathi Subramanian

For R1 : Mr.P.Gunasekaran

For R2 to R4 : Mrs. D.Farjana Ghoushia  
Special Government Pleader

### **ORDER**

This writ petition had been filed for issuance of writ of Mandamus, directing to the respondents to take into account half of the service of the petitioner i.e., from 01.11.1979 to 18.01.1991 for the purpose of pension, arrears and all attendant terminal benefits with 18% of interest per annum.

2. The brief facts of the case are that the petitioner had joined the service as Panchayat Clerk on 01.11.1979 and worked as part-time Panchayat Clerk till 18.01.1991. Thereafter, the petitioner was promoted to the post of Junior Assistant on 19.01.1991 and was subsequently promoted as Rural



Welfare Officer, Grade-I and finally, the petitioner had retired as Deputy Block Development Officer, on 31.05.2015.

3. The contention of the petitioner is that the issue of grant of pensionary benefits by calculating 50% of the earlier service was considered in several writ petitions and this Court has passed an order based on the orders of the Government in G.O.Ms.99, Rural Development and Panchayat Raj (E5) Department, dated 27.08.2022.

4. In view of the above, this Court without expressing any opinion on the merits of the petitioner's claim is simply directing the respondent to consider the claim of the petitioner in accordance to law and pass orders on merits. The petitioner is directed to submit a fresh representation along a copy of this order and also the copy of G.O.Ms.99 Rural Development and Panchayat Raj (E5) Department dated 27.08.2022, to the second respondent. The second respondent shall consider the same and pass orders within a period of twelve weeks from the date of receipt of a fresh representation.



W.P(MD)No.14533 of 2016

5. With the above direction, this writ petition stands disposed of. No

WEB COPY costs.

**31.10.2022**

Index : Yes / No

Internet : Yes/ No

lr

To

1. The Principal Accountant General  
(Accounts and Entitlements)

361 Anna Salai, Teynampettai,  
Chennai 600 018.

2. The Principle Secretary to the State Govt.  
of Tamilnadu,

Rural Development and  
Panchayat Raj Department,  
Secretariat, Chennai 600 009.

3. The Commissioner,  
Directorate of Rural Development and  
Panchayat Raj Department,  
Panagal Building,  
Saidapet, Chennai 600 015.

4. The District Collector,  
Sivagangai District.



*W.P(MD)No.14533 of 2016*

**S.SRIMATHY, J.**

WEB COPY

lr

W.P(MD).No.14533 of 2016

31.10.2022

5/5