
(2014) 07 MAD CK 0103
In the Madras High Court
Case No : Writ Petition (MD) No. 8174 of 2010

M. Jagadeesan

APPELLANT

Vs

The District Collector

RESPONDENT

Date of Decision : 15-07-2014

Acts Referred:

Citation : (2014) 07 MAD CK 0103

Hon'ble Judges : S. Nagamuthu, J

Bench : Single Bench

Judgement

S. Nagamuthu, J.—The petitioner was appointed as the Village Karnam of Pudupalayam Village in Srivilliputtur Taluk, on 30.05.1955. When the Government of Tamil Nadu abolished the post of village officers, as on 14.11.1980, the petitioner also lost his job. Subsequently, as per the orders of the Hon'ble Supreme Court, he was appointed as Village Administrative Officer of Naaranapuram with effect from 09.08.1982. He retired from service on 30.09.1990. He has been granted pension, by taking into account his services rendered from 14.11.1980 to 30.09.1990. His grievance is that the period of service rendered as village karnam between 30.05.1955 and 14.11.1980 should also be taken into account for quantifying the pension. With this grievance, the petitioner is before this Court with this writ petition.

2. I have heard the learned counsel for the petitioner and the learned Government Advocate appearing for the respondents and I have also perused the records, carefully.

3. The legal question involved in this writ petition is no more res integra. As early as on 09.01.2009, a learned Single Judge of this Court, in a batch of writ petitions in W.P.Nos.276 to 280 of 2009, etc., has answered the same, in the following manner, in paragraph 18 of the judgment.

18. To summarise, the vexed question of grant of pension for the services rendered by the erstwhile Village Officers has undergone a metamorphosis over

the past three decades and step by step the Government have yielded to the demand, category-wise as follows:-

(a) For Those Who Never Got Re-Employed:- A special pension of Rs.175/- per month later enhanced to Rs.250/- per month with attendant benefits to all those living Ex-Village Officers, who lost their jobs on 14.11.1980 but who never got re-employed was first sanctioned with effect from 5.12.1986. For the families of those who were dead, a special family pension of Rs.100/- per month later enhanced to Rs.150/- pr month, was similarly sanctioned.

(b) For Those Who Got Re-Employed in 1982:- For persons who lost their jobs on 14.11.1980 and who were appointed as Village Administrative Officers in the year 1982, by virtue of possessing minimum general educational qualification, but who retired without completing 10 years of service in the new category, their services were directed to be counted not from the date of their appointment in 1982 but directed to be counted with effect from 14.11.1980, so that they get 10 years of qualifying service in the new category to get at least minimum pension. If these persons did not get 10 years of service, even after counting the service from 14.11.1980, then they were directed to be granted the special pension as per G.O.Ms.No.828, Revenue, dated 23.8.1996, with effect from 5.12.1986, but excluding the period of their non-employment.

(c) For Those Who Got Re-Employed After 1988: Persons who lost their jobs on 14.11.1980 and who got appointed temporarily under Rule 10(a)(i) after 1988, by virtue of acquiring minimum general educational qualifications after the date of abolition, the special pension granted to those who were never re-employed, was granted with effect from 5.12.1986, excluding the period of their re-employment on temporary basis.

4. In view of the said settled position of law, in my considered opinion, since the petitioner falls under the second category, that is, the persons who lost their jobs on 14.11.1980 and who were appointed as Village Administrative Officers in the year 1982, the respondents were right in granting pension to the petitioner, by taking into account the services rendered between 14.11.1980 till the date of his retirement. The respondents have rightly omitted to take into account the services rendered by the petitioner before 14.11.1980. Thus, I do not find any merit at all in this writ petition. The writ petition fails and the same is dismissed. No costs.