**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

**DATED : 10.03.2026**

**CORAM:**

**THE HONOURABLE MR.JUSTICE MUMMINENI SUDHEER KUMAR**

**W.P.(MD)No.10893 of 2023**

S.Ramachandran ... Petitioner

Vs.

1.The State of Tamil Nadu,
Rep. by its Additional Chief
Secretary to Government,
Finance (Pay Cell) Department,
Secretariat, Chennai-600 009.

2.The Secretary to Government,
Finance (Pension) Department,
Secretariat, Chennai-600 009.

3.The Internal Audit Officer,
Audit Branch,
TANGEDCO,
NPKRR Maaligai, 1st Floor,
144, Anna Salai,
Chennai-600 002. ... Respondents

PRAYER : Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents to pass an order to grant the First Slab of Additional pension of 20% earmarked from attaining 80 years to the petitioner with effect from 01.06.2018 and grant monetary benefits and arrears consequently directly respondents to grant to second slab of additional pension of 30% earmarked with effect from 01.06.2023 in the light of Order dated 08.07.2019 passed by the Hon'ble Supreme Court of India in SLP (Civil) No.18133 of 2019 and thereby upholding the Order dated 15.03.2018 the Division Bench of the Hon'ble Gauhathi High Court passed in WP(C) No.4224 of 2016 (Virendra Dutt Gyani Indore Vs. The Union of India and others) and TNEB Board Proceedings No.24, dated 06.08.2011, within a time limit as fixed by this Court.

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| For Petitioner | : | Mr.S.Alagusundar |
| For R1 & R2 | : | Mr.B.Ramanathan<br>Additional Government Pleader<br>as Standing Counsel for R3 |

# ORDER

Heard the learned counsel for the petitioner and the learned counsel appearing for the respondents.

2. The petitioner, who worked as a Commercial Inspector in TANGEDCO, retired from service on attaining the age of superannuation on 30.06.1997 and he has been drawing pension.

3. On completion of 79 years of age, the petitioner made a claim for enhanced pension in terms of various orders issued by the Government and adopted by TANGEDCO. According to petitioner, he is entitled to enhanced pension at the rate of 20% on entering the age of 80 years, ie., immediately on the next day of completion of 79 years of age. In support of his case, the petitioner has placed reliance on the orders issued in G.O.Ms.No.313, Finance (Pay Cell) Department dated 25.10.2017.

4. The petitioner has also placed reliance on the orders issued in G.O.Ms. 42, Finance Department, dated 7.02.2011, to substantiate his case. However, the third respondent has filed a detailed counter affidavit contending that the Government Orders relied upon by the learned counsel for the petitioner have no application to the case of the petitioner, as the said Government Orders would apply only if adopted by TANGEDCO. The third respondent further stated that the orders issued in G.O.Ms.No.42, dated 07.02.2011 were adopted by TANGEDCO with due modification vide Circular No.24, dated 6.8.2011, which categorically entitles pensioners to receive additional pension at different rates on completion of the age of 80/84, 85/89, 90/94, 95/99 and 100 years.

5. It was also stated in the counter affidavit, and contended by the learned counsel for the respondents, that the petitioner has already been extended the benefit of enhanced pension at the rate of 20% from the date on which he completed the age of 80 years.

6. The learned counsel for the petitioner though placed reliance on G.O.Ms.No.313, Finance (Pay Cell) Department, dated 25.10.2017 and G.O.Ms.No.42, Finance (Pension) Department, dated 07.02.2011, was unable to satisfy this Court as to how the said Government Orders would be directly applicable to the case of the petitioner. TANGEDCO is an independent body and is not directly governed by the various orders issued by the Government from time to time.

7. Only in cases where any Government Order is adopted by the TANGEDCO would the same become applicable to the employees of the Board and the petitioner can claim benefits only from such adopted orders. In the instant case, as seen from Circular No.24, dated 06.08.2011, the benefit of enhanced pension is conferred only from the date of completion of 80 years of age, which is applicable to the present case. The said benefit has already been extended to the petitioner, as evident from the counter affidavit filed by the third respondent, and there is no dispute on this aspect.

8. In light of the above, the claim made by the petitioner for enhanced pension from the date of entering the age of 80 years is totally misconceived. Accordingly, the writ petition is dismissed. There shall be no order as to costs.

**10.03.2026**

Neutral Citation: Yes / No
Index : Yes / No
**am**

To

1.The Additional Chief Secretary to Government,
Finance (Pay Cell) Department,
Secretariat,
Chennai-600 009.

2.The Secretary to Government,
Finance (Pension) Department,
Secretariat,
Chennai-600 009.

**MUMMINENI SUDHEER KUMAR, J.**

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**W.P.(MD)No.10893 of 2023**

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