



**FINANCE [PGC-I] DEPARTMENT**

**G.O.Ms.No.245, Dated 19<sup>th</sup> July 2018.**

(Vilambi, Aadi-3, Thiruvalluvar Aandu-2049)

**ABSTRACT**

**PENSION** – Qualifying service for pension – Reduction in the maximum qualifying service for full pension – Implementation of the Judgement Order of the Hon'ble Supreme Court of India, dated 08-07-2014 in Civil Appeal No.6116 of 2014 (@ Special Leave Petition (C) No.22870/2007) by extending orders issued in G.O.(Ms).No.461, Finance (Pension) Department, Dated: 31-07-1996 to those who retired between 01-10-1979 and 01-07-1996 - Orders – Issued.

**Read:-**

1. G.O.(Ms).No.461, Finance (Pension) Department, Dated: 31-07-1996.
2. Judgement Order of the Hon'ble Supreme Court of India, dated 08-07-2014 in Civil Appeal No.6116 of 2014 (@ Special Leave Petition (C) No.22870/2007) filed by All Pensioners Federation, Cheranmahadevi.
3. Judgement Orders of the Hon'ble Madurai Bench of Madras High Court in the W.P.(MD) No.6366 of 2016 filed by Thiru K.P.K. Syed Mohamed Masooth, dated 22-11-2016.
4. Judgement Order of the Hon'ble Supreme Court of India, dated 11-10-2017 in Review Petition (C) No.1044/2017 in C.A. No.6116/2014 filed by the Government.

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**ORDER:**

In the Government Order first read above, among others, orders were issued that the maximum qualifying service reduced from 33 years to 30 years to become eligible for full pension by the Government employees after retirement in cases of Government Employees retiring on or after 01-07-1996.

2. All Pensioners Federation, Cheranmahadevi challenged the cut-off date stipulated in the Government Order first read above and filed O.A.No.6705/1997 in the erstwhile Tamil Nadu Administrative Tribunal (TNAT) which was transferred as W.P.No.36651 of 2005 (T) to the Hon'ble High Court of Madras and the Writ Petition was dismissed by the Hon'ble High Court of Madras in its order dated 13-03-2006 as follows:

*"All the court orders normally used to have only prospective effect, since the date of issue of the Government Orders with effect from 01-07-1996, the same has been given effect to those who have retired on or after 01.07.1996. As such the prayer sought for in this writ petition cannot be granted. Hence this writ petition is dismissed."*

**P.T.O.**