



WEB COPY



WA No. 1071 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 15-06-2026

CORAM

THE HON'BLE MR JUSTICE S. M. SUBRAMANIAM

AND

THE HON'BLE MR.JUSTICE N.SENTHILKUMAR

WA No. 1071 of 2026

1. A.Varghese
2. A.E.J.Baskaran
3. J.Pushpalatha
4. P.Thiagarajan

..Appellants

Vs

1. The Chairperson
No. 1, Rajaji Salai,
Chennai Port Authority, Chennai -600 001.
2. The Secretary
No. 1, Rajaji Salai,
Chennai Port Authority,
Chennai -600 001.
3. The Chief Mechanical Engineer
E and M Department,
Chennai Port Authority,
No.1 Rajaji salai,
Chennai 600 001.
4. The Financial Advisor and
Chief Accounts Officer(Fa And Caj),
Chennai Port Authority,
No. 1, Rajaji Salai,
Chennai -600 001.



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5. The Traffic Manager
Traffic Department ,
Chennai Port Authority,
No. 1, Rajaji Salai,
Chennai -600 001.

..Respondents

Prayer : Writ Appeal under Clause XV of the Letters Patent to set aside the order passed by the Learned Judge in WP.No.23646 of 2024 dated 20-11-2025.

For Appellants : Mr.P.Ayyamperumal

Judgment

(Judgment of the Court was delivered by S.M.Subramaniam J.)

The present writ appeal has been instituted challenging the writ order dated 20.11.2025 made in W.P.No.23646 of 2024.

2. The issue raised in the present intra Court appeal is that, whether a government servant who retires on superannuation on the preceding date of increment due date is eligible for grant of notional increment or not. Admittedly, the appellants retired on the preceding day of their date of annual increment due. The service particulars of the appellants are as under:

<i>Sl.No.</i>	<i>Name of the petitioner</i>	<i>Completed period</i>	<i>Date or</i>	<i>Due date fixed</i>
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		<i>of one year for which one increment is due</i>	<i>retirement</i>	<i>for increment</i>
1.	<i>K.Egambaram</i>	<i>01.01.2016 to 31.12.2016</i>	<i>Took VRS on 31.12.2016</i>	<i>01.01.2017</i>
2.	<i>E.J.Baskaran</i>	<i>01.01.2020 to 31.12.2020</i>	<i>31.12.2020</i>	<i>01.01.2021</i>
3.	<i>A.Varghese</i>	<i>01.04.2019 to 31.03.2020</i>	<i>31.03.2020</i>	<i>01.04.2020</i>
4.	<i>Pushpalatha</i>	<i>01.03.2022 to 28.02.2023</i>	<i>28.02.2023</i>	<i>01.03.2023</i>
5.	<i>S.P.Thiagarajan</i>	<i>01.01.2014 to 31.12.2014</i>	<i>31.12.2014</i>	<i>01.01.2015</i>

3. The said issue relating to Tamil Nadu Revised Scales of Pay Rules, 2009 is no more *res integra* and based on the judicial pronouncement, the Government issued G.O.Ms.No.311 dated 31.12.2014. Para 3 of the Government Order reads as under:

Grant of notional Increment Tamil Nadu Revised Scales of Pay Rules. 2009 to Government Servants who retires on superannuation on the preceding day of Increment due date-Orders-Issued.

FINANCE (CMPC) DEPARTMENT

G.O.Ms.No.311

Dated: 31-12-2014

Margazi, 16.

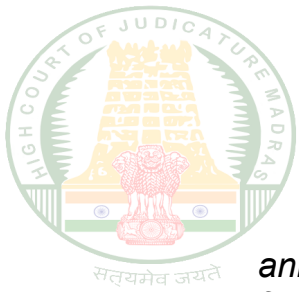
Thiruvalluvar Aandu, 2045.

READ:

1. G.O.Ms.No.234, Finance (PC) Department, dated: 1-6-2009.
2. [G.O.Ms.No. 123](#), Finance (PC) Department, dated: 10-4-2012.

ORDER:

As per the provisions under Fundamental Rules 26 (a), the



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annual increments of the Government Servants are regulated in four quarters viz. 1 January, 1 April, 1 July and 1 October. However, there is no provision in the Fundamental Rules to sanction annual Increments in the case of the Government Servants who have rendered one full year of service and retires on superannuation on the last date of completion of one year and their increment due date falls on the riext day of superannuation. As such an anomalous situation arises in the case of those Government Servants who retires on the 31 March, 30th June, 30th September and 31 December, as the case may be, Inspite of the fact that they have completed one full year of service which are countable for Increment as per Fundamental Rules 26(a), (c), (bb), (c) and (d) as the case may be, and on the date of retirement.

2) The above issue was brought to the notice of Pay Grievance Redressal Cell constituted in the Government Order second read above by several Employees Association for due rectification. The Pay Grievance Redressal Cell, among others, has recommended that "when date of increment of a Government Servant falls due on the day following superannuation on completion of one full year of service, such service may be considered for the benefit of a notional increment purely for the purpose of pensionary benefits and not for any other purpose. Such concession may be made applicable prospectively".

3) After careful consideration, the Government have decided to accept the above recommendation of Pay Grievance Redressal Cell. Accordingly, the Government direct that a Government Servant whose Increment falls due on the day following superannuation, on completion of one full year of service which are countable for Increment under Fundamental Rules 26, be sanctioned with one notional increment al purely for the purpose of pensionery benefits and not for any other purpose. The above the rate as described under rule 6 of Tamil Nadu Revised Scales of Pay Rules, 2009. concession of sanction of national increment shall take prospective effect from the date of issue of this order.

4) Necessary amendment to the Fundamental Rules shall be



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*issued by Personnel and Administrative Reforms Department
separately.*

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(BY ORDER OF THE GOVERNOR)

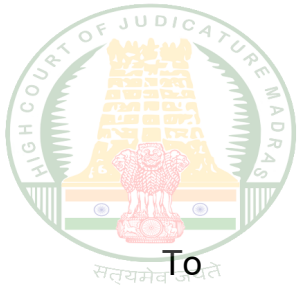
**K.SHANMUGAM,
PRINCIPAL SECRETARY TO GOVERNMENT**

4. Consequently, the impugned writ order dated 20.11.2025 in W.P.No.23646 of 2024 is set aside and the respondents are directed to extend the benefit of G.O.Ms.No.311 dated 31.12.2014 to all the appellants by granting increment and consequently pay the monetary benefits as admissible under the Rules. The said exercise is directed to be completed within a period of twelve (12) weeks from the date of receipt of a copy of this order. With the above direction, the writ appeal is allowed. No costs.

**(S.M.S.,J.) (N.S.,J.)
15-06-2026**

Index: Yes
Speaking order
Neutral Citation: Yes/No

KST



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To

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Chennai Port Authority,
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**S.M.SUBRAMANIAM J.
AND
N.SENTHILKUMAR J.**

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