



W.P.NO.33353 OF 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07.08.2026

CORAM

**THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM
AND
THE HONOURABLE MR.JUSTICE N.SENTHILKUMAR**

**W.P.NO.33353 OF 2025
AND
WMP NO.37487 OF 2025**

1.Union of India
Rep. By the General Manager
Southern Railway
Park Town, Chennai.

2.The Principal Chief Personnel Officer
Southern Railway
Park Town, Chennai.

... Petitioners

-VS-

S.Senthilnathan

... Respondent

PRAYER: Writ Petition under Article 226 of the Constitution of India praying for a Writ of Certiorari, to call for the records from the Central Administrative Tribunal, Chennai dated 21.08.2024 in OA/310/00413/2024 and quash the same as illegal, arbitrary, without jurisdiction.

For Petitioners : Mr.K.Srinivasa Murthy
Senior Panel Counsel Central Government

For Respondent : Mr.A.Immanuel



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ORDER

WEB COPY (Order of the Court was made by S.M.Subramaniam, J.)

Union of India preferred the present writ petition challenging the order of the Central Administrative Tribunal, Chennai Bench, dated 21.08.2024 passed in O.A.No.413 of 2024.

2.The respondent filed an Original Application for grant of one notional increment from the date of his retirement. The fact remains that the respondent retired from service on 30.06.2020. His annual increment falls on 01.07.2020. Since he was not in service as on 01.07.2020, the Department declined to grant annual increment.

3.The issue was taken up by several employees before the Courts. The Courts have held that an employee who had completed one year of service, though not in service on the next day, he would be eligible to draw one increment as per the Rules. In view of the said fact, if an employee has completed one year of service, an increment is granted for such completion of one year of service. Therefore, whether the employee is in service or not on the next day becomes immaterial. Therefore, the eligibility of an employee to draw an annual increment on



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completion of one year of service on the date of his retirement is no longer *res integra*.

4.The question in the present *lis* would be whether the respondent is eligible to draw the increment from the date of judgment of the Hon'ble Supreme Court in ***Union of India and Others Vs. M.Siddaraj***, in ***Civil Appeal No.3933 of 2023 in SLP (C) No.4722 of 2021***, dated **19.05.2023** or from the date of his retirement. The said position has been clarified by the Hon'ble Supreme Court in a Miscellaneous Application Diary No.2400 of 2024 filed in Civil Appeal No.3933 of 2023, dated 20.02.2025. The Apex Court held that in respect of third party retired employees are concerned, the benefit of one increment is to be granted with effect from the date of judgment rendered in the case of ***M.Siddaraj***, cited supra. In the present case, the respondent would be eligible for one increment with effect from 01.05.2023 since the respondent filed an Original Application before the Central Administrative Tribunal on 06.03.2024, after the judgment of the Hon'ble Supreme Court of India in ***M.Siddaraj's case*** cited supra.



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5.The learned counsel for the respondent would also fairly submits that the respondent is eligible to draw annual increment with effect from 01.05.2023 onwards.

6.In view of the above position, the appellate authorities are directed to grant annual increment to the respondent with effect from 01.05.2023 and consequently, revise his pension and pensionary benefits and settle arrears and all other monetary benefits admissible, within a period of four weeks from the date of receipt of a copy of this order.

7.With the above directions, the writ petition stands disposed of. No costs. Consequently, connected miscellaneous petition is closed.

[S.M.S., J.]

[N.S., J.]

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Index : Yes
Speaking Order : Yes
Neutral Citation : Yes / No
TK



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To
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The Central Administrative Tribunal
Chennai Bench
Chennai.



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AND

N.SENTHILKUMAR, J.

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