



W.P(MD)No.4406 of 2022

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 19.08.2026

CORAM:

**THE HONOURABLE MR.JUSTICE M.DHANDAPANI
and
THE HONOURABLE MR.JUSTICE N.DILIP KUMAR**

W.P(MD)No.4406 of 2022

K.Sivanagarajan

... Petitioner

VS.

1. The Branch Officer,
Office of the Principal Accountant
General (A and E),
Tamil Nadu,
No.361,
Anna Salai, Chennai 600 018.

2. The Sub Judge
Sub Court, Devakottai,
Sivagangai District.

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Certiorarified Mandamus, calling for the records pertaining to the impugned order passed by the 1st Respondent in NO.PO2/2/10226535/ADK, dated 17.08.2021, quash the same and direct the 1st respondent to disburse the retirement benefits and pension to the petitioner by adding 5 percentage personal pay.

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For Petitioner : Mr.R.V. Rajkumar
For Respondents : Mr.R.Gunasekaran (R1)
: Mr.D.Venkatesh (R2)

ORDER

(Order of the Court was made by N.DILIP KUMAR, J.)

The writ petition has been filed challenging the impugned order dated 17.08.2021 passed by the first respondent and for a consequential direction to disburse the retirement benefits and pension to the petitioner by adding 5 percentage personal pay.

2. The writ petitioner joined duty as an Office Assistant on 04.04.1988 and was promoted as a Junior Bailiff on 31.05.1993 and further promoted as a Senior Bailiff/Bailiff on 31.08.2000 and retired as a Selection Grade Senior Bailiff on 31.10.2018 and thus had rendered 30 years of unblemished service.



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3. The grievance of the writ petitioner is that, while the benefit of five percentage of personal pay was given to all other employees working in the other departments, it had been denied only to the Judicial Ministerial Staff. In this regard, multiple writ petitions had already been filed and orders have been passed in favour of those writ petitioners who are similarly placed to that of the present writ petitioner as well.

4. The petitioner also informs this Court that an appeal preferred by the Government in SLP (Civil) No.9979 of 2003 was also dismissed by the Hon'ble Supreme Court on 10th July 2003 and the Government had also implemented the orders vide proceedings dated 19th July 2011. Following the same, several orders have been passed in favour of similar writ petitioners in W.P.Nos.34846, 34847, 34559 and 34560 of 2005 dated 10th March 2006. Accordingly, he prayed for passing similar orders in the present writ petition.

5. The learned counsel for the first respondent has no objection to passing similar orders.



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6. In view of the above, the petitioner is held entitled to the benefit of 5% personal pay and the consequential revision of retirement benefits and pension, on par with the similarly placed petitioners, in terms of the orders passed this Court in W.P.Nos.33846, 34847, 34559 and 34560 of 2005, dated 10.03.2006. The respondents shall extend the said benefit to the petitioner in accordance with law.

7. Accordingly, this writ petition is disposed of. There shall be no order as to costs.

[M.D.I.,J.] & [N.D.K.,J.]
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NCC : Yes / No
Index : Yes / No
Internet : Yes
PKN



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