

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08.06.2015

CORAM:

THE HONOURABLE MR.JUSTICE D.HARIPARANTHAMAN

W.P.No.13605 of 2015 and
M.P.No.1 of 2015

R.Raman

.. PETITIONER

Vs

1. State of Tamil Nadu rep. by its Secretary
to Government, Rural Development and
Panchayat Raj Department,
Fort St. George, Chennai-9.

2. Director,
Commissionerate of Rural Development and
Panchayat Raj, Panagal Building,
Chennai-15.

3. District Collector,
Kancheepuram District,
Kancheepuram.

... RESPONDENTS

Writ Petition filed under Article 226 of the Constitution of India for the issue of Writ of Certiorarified Mandamus, calling for the entire records of the 3rd respondent herein in his Na.Ka.No.38151/2013/P.A.1 dated 29.11.2013 and in O.Mu.No.15426/2014/P.A.1 dated 09.07.2014 and quash the same and consequently direct the respondents herein to forthwith sanction annual increment due to the petitioner herein for the period 01.10.2003 to 30.09.2004 and refix the last drawn pay of the petitioner accordingly and pay revised pension and arrears of difference in pension and other retirement benefits with due interest in accordance with law.

For petitioner : Mr.V.R.Rajasekaran
For respondents : Mr.Gunasekaran,
Government Advocate

O R D E R

Since the prayer in the petition lies in a narrow compass, by consent, the Writ Petition itself is taken up for final disposal.

2. The petitioner retired from service on 30.09.2004. According to him, the annual increment is due on 01.10.2004 for the service rendered for one year from 01.10.2003 to 30.09.2004. On the ground that he retired from service on 30.09.2004, the annual increment was not granted. Hence, the petitioner has filed this Writ Petition.

3. The petitioner relies on my decision dated 02.08.2013 made in W.P.No.21500 of 2013 in this regard.

4. On the other hand, the learned Government Advocate appearing for the respondents on instructions submits that the petitioner is not entitled to annual increment as he retired from service on 30.09.2004.

5. The annual increment is paid for the service rendered for one year. It is not in dispute that the petitioner served for the period from 01.10.2003 to 30.09.2004. Hence annual increment is payable to the petitioner. In fact, considering the similar issue in the judgment dated 02.08.2013 made in W.P.No.21500 of 2013, wherein I have relied on an earlier judgment of this Court, I allowed the writ petition.

6. In these circumstances, I am of the view that the Writ Petition succeeds and a direction is issued to the respondents to grant annual increment for the service rendered by the petitioner from 01.10.2003 to 30.09.2004. The respondents are directed to grant increment within a period of twelve weeks from the date of receipt of a copy of this Order. No costs. Consequently, connected Miscellaneous Petition is also closed.

सत्यमेव जयते

Sd/-

Asst. Registrar

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Sub Asst. Registrar.

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To

1. Secretary to Government,
State of Tamil Nadu,
Rural Development and
Panchayat Raj Department,
Fort St. George, Chennai-9.

2. Director,
Commissionerate of Rural Development and
Panchayat Raj, Panagal Building,
Chennai-15.

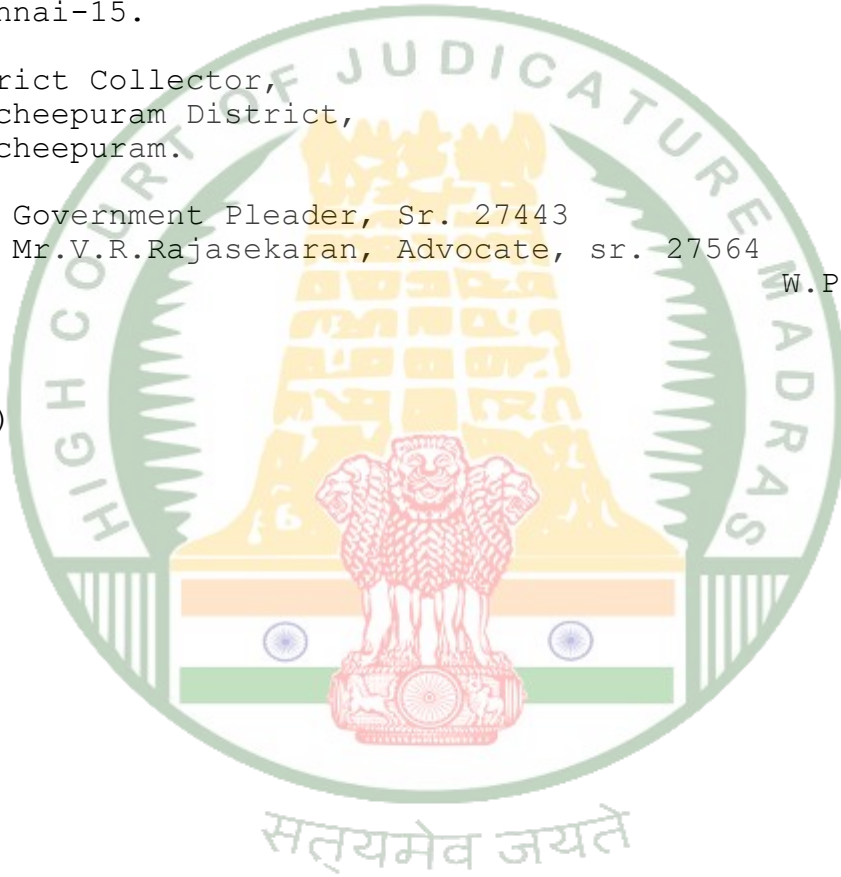
3. District Collector,
Kancheepuram District,
Kancheepuram.

1 cc to Government Pleader, Sr. 27443

1 cc to Mr.V.R.Rajasekaran, Advocate, sr. 27564

W.P.No.13605 of 2015

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