

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 09.06.2015

CORAM

THE HONOURABLE MR. JUSTICE D.HARIPARANTHAMAN

W.P.No.16146 OF 2015

I.Ganesan

[PETITIONER]

Vs

- 1 State of Tamilnadu rep. by the
Principal Secretary to Government,
Finance (Pay Cell) Department,
Fort St. George, Chennai-9
- 2 State of Tamilnadu rep. by the
Principal Secretary to Government
Home (Prisons.1) Department
Fort St. George, Chennai-9
- 3 State of Tamilnadu rep. by the
Principal Secretary to Government
Personnel and Administrative Reforms Department
Fort St. George Chennai-9
- 4 The Superintendent of Prisons
Central Prison, Salem
- 5 The Principal Accountant
General (Accounts and Entitlements)
Teynampet, Chennai-18
- 6 The Treasury Officer
District Treasury, Salem

[RESPONDENTS]

Writ petition is filed under Article 226 of the Constitution of India praying for a writ of mandamus to direct the second respondent herein namely the State of Tamilnadu represented by the Principal Secretary to Government Home (Prisons.1) Department Fort St. George Chennai-600 009 to grant Relaxation of relevant rule 9(e) of the Tamilnadu Jail, Sub-ordinate Services Rules to the petitioner from passing the Account Test for Sub-ordinate Officers Part I for the post of Assistant Jailor in order to enable the petitioner to get his increments on the respective due dates and to consequently revise the pension of the petitioner with effect from 1.2.2011 and to pay the arrears arising out of such re-fixation within a short date that may be fixed by this Honourable Court.

For Petitioner : Mr.K.S.Govinda Prasad

For Respondents : Mr.V.Jayaprakash Narayanan
Special Government Pleader

O R D E R

With the consent of the learned counsel appearing on either side, the Writ Petition is taken up for final disposal at the admission stage itself.

2.The petitioner has come forward with this Writ Petition for issuance of a writ of mandamus to direct the second respondent to grant Relaxation of relevant rule 9(e) of the Tamilnadu Jail, Sub-ordinate Services Rules to the petitioner from passing the Account Test for Sub-ordinate Officers Part I for the post of Assistant Jailor in order to enable the petitioner to get his increments on the respective due dates and to consequently revise the pension of the petitioner with effect from 1.2.2011 and to pay the arrears arising out of such re-fixation.

3.Though the petitioner has come forward with such a wide relief, the learned counsel for the petitioner submits that the petitioner would be satisfied if a direction is issued to the first respondent to consider and pass orders on the representation submitted by the petitioner dated 25.05.2012, within a stipulated period.

4.Considering the limited scope of the prayer now sought for by the petitioner, the first respondent is directed to consider the representation submitted by the petitioner dated 25.05.2012 and pass appropriate orders on merits and in accordance with law, within a period of twelve weeks from the date of receipt of a copy of this order.

The Writ Petition is disposed of accordingly. No costs.

Sd/-

Assistant Registrar(CS-III)

//True Copy//

Sub Assistant Registrar

rpa

To

- 1 The Principal Secretary to Government,
Finance (Pay Cell) Department,
Fort St. George, Chennai-9
 - 2 The Principal Secretary to Government
Home (Prisons.1) Department
Fort St. George, Chennai-9
 - 3 The Principal Secretary to Government
Personnel and Administrative Reforms Department
Fort St. George Chennai-9
 - 4 The Superintendent of Prisons
Central Prison, Salem
 - 5 The Principal Accountant
General (Accounts and Entitlements)
Teynampet, Chennai-18
 - 6 The Treasury Officer
District Treasury, Salem
- 1 CC to Mr.K.S.Govinda Prasad, Advocate SR.No. 28363
- 1 CC to the Government Pleader, SR.No. 28107

BR (CO)
PSI (19.06.2015)

W.P.No.16146 of 2015

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