

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 21.07.2015

CORAM:

THE HONOURABLE MR. JUSTICE D.HARIPARANTHAMAN

Writ Petition No.19070 of 2015

R. Somasundaram

.. Petitioner

vs.

1. The Secretary to Government
Finance Department
Fort St. George, Chennai-9.
 2. The Director General of Police
Dr. Radhakrishnan Salai
Mylapore, Chennai-4.
 3. The Superintendent of Police
Nagapattinam District.
 4. The Accountant-General (A&E)
361, Anna Salai, Chennai-18.
- .. Respondents

Writ Petition filed under Article 226 of the Constitution of India, for the issuance of a Writ of Mandamus directing the respondents to re-fix the pension of the petitioner as per V & VI Pay Commission Recommendations, draw and disburse the same within a reasonable time in the light of the proposal sent by the 3rd respondent to the 4th respondent dated 19.03.2014.

For Petitioner : Mr. T. Ayngaraprabhu

For Respondents : Mrs. M.E. Rani Selvam

Addl. Govt. Pleader for R1 to R3

Mr. V. Vijayashankar for R4.

WEB COPY
O R D E R

The petitioner entered the service as Grade II Police Constable in Nagapattinam District on 01.10.1958. He was promoted as Head Constable in the year 1972, Sub Inspector of Police in 1976 and Inspector of Police in 1993 and he retired from service on 30.11.1995 on reaching the age of superannuation. He was duly sanctioned monthly pension of Rs.3,228/-.

2. According to the petitioner, he is eligible for revised pension as per the recommendations of IV and V Pay Commissions. The Government also issued G.O.Ms.No.363, Finance (PGC) Department, dated 23.08.2013 for revision of pay even for those persons who retired prior to 01.01.1996. Accordingly, his pension has to be revised.

3. While so, a proposal has been sent by the third respondent/ Superintendent of Police, Nagapattinam District to the fourth respondent/Accountant General on 19.03.2014 for revision of pension of the petitioner.

4. The fourth respondent sent a letter dated 10.09.2014 stating that the matter is pending with the fourth respondent and the cases received up to January 2014 were processed and finalised and the rest of the cases would be finalised in due course.

5. However, even now the proposal sent by the authority concerned for revision of pension is not finalised and appropriate orders are yet to be passed by the fourth respondent.

6. Thus, the writ petition is disposed of with a direction to the fourth respondent to pass orders on the revision of pension in the light of G.O.Ms.No.363, Finance Department, dated 23.08.2013 and the proposal sent by the Superintendent of Police, Nagapattinam within a period of four weeks from the date of receipt of a copy of this order. No costs.

Sd/-
Assistant Registrar

True Copy

Sub Assistant Registrar

ATR

Copies to

1. The Secretary to Government
Finance Department
Fort St. George, Chennai-9.
2. The Director General of Police
Dr. Radhakrishnan Salai
Mylapore, Chennai-4.
3. The Superintendent of Police
Nagapattinam District.

4. The Accountant-General (A&E)
361, Anna Salai, Chennai-18.

1 cc to Mr.V. Vijayashankar , Advocate Sr.No.37136
1 cc to Mr.M.Muthappan , Advocate Sr.No.38083
1 cc to Government Pleader.Sr.No.37061

W.P. No. 19070 of 2015

nm(co)
pmk.14.8.2015



WEB COPY