

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.07.2015

CORAM:

THE HONOURABLE MR. JUSTICE D.HARIPARANTHAMAN

Writ Petition No.19247 of 2015

1.A.Ramasamy
2.V.P.Ramasamy
3.V.Rajamani
4.N.Pitchaikkaran

...Petitioners

vs.

1.The Government of Tamil Nadu,
Rep. By its Secretary
Rural Development and
Panchayat Raj Department,
Fort St. George,
Chennai - 9.

2.The Director of Rural
Development and
Panchayat Raj Department,
Panagal Building,
Saidapet,
Chennai - 600 015.

3.The District Collector,
Trichy District,
Trichirappalli.

...Respondents

Petition filed under Article 226 of the Constitution of India for the issuance of writ of Mandamus directing the respondents herein to pay two increments for the training period, in the post held by them who retired prior to 30.07.1992 continuously pay the increment and consequently taken into account the said increments in the pensionary benefits and in the monthly pension of the petitioners with all monetary and other attendant benefits as paid to one Mr.Natarajan as per G.O.Ms.No.105 Rural Development and Panchayat Raj (Pa.A.4) Department dated 19.11.2010.

For Petitioner : Mr.K.Sannjay

For Respondents: Mr.S.Gunasekaran,
Government Advocate

O R D E R

Mr.S.Gunasekaran, learned Government Advocate, takes notice for the respondents.

2.The petitioners were initially appointed as Rural Welfare Officer Grade II and they were sent for training. The said training period of two years was not counted for declaration of probation and increment.

3.The Government issued G.O.Ms.No.164 Rural Development (E4) Department dated 30.07.1992 permitting to count the training period undergone by the Rural Welfare Officers for the purpose of declaration of probation and increment. The relevant portion of the said Government Order reads as follows:-

"The Government accordingly direct that those who had already undergone Rural Welfare Officers Training prior to the issue of G.O.Ms.No.535 Rural Development dated 10.07.1986 and now working in different categories under single service rules be permitted to count that training period of probation and increment. The monetary benefit will be given to them prospectively i.e., from the date of issue of this order without retrospective monetary benefit."

4.Furthermore, one S.Nataraj who was also sent for training like the petitioners filed a writ petition before this Court W.P.No.8178 of 2007 to count the training period for the purpose of grant of increment. The said writ petition was allowed on 19.07.2007 and the Government implemented the same by issuing G.O.Ms.No.105 Rural Development and Panchayat Raj (Pa.A4) Department dated 08.11.2010.

5.It is further stated that, based on the order passed by this Court in W.P.Nos.33981 & 39046 of 2005 & etc., batch cases dated 05.07.2011, the Government also issued G.O.Ms.No.85 Rural Development Department dated 11.09.2012 granting benefit to the petitioners therein. In similar matters, this Court also passed various orders and those orders were also implemented by the Government.

6.According to the learned counsel for the petitioners, the first respondent may be directed by this Court to consider the representation of the petitioners dated 13.05.2015 for counting the training period of two years undergone by the petitioners for the purpose of increment.

7. In these circumstances, the first respondent is directed to consider the representation of the petitioners dated 13.05.2015 taking into account the orders passed by this Court in the above writ petitions and the above Government Orders passed by the Government and pass 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. No costs.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

jbm

To

1. The Government of Tamil Nadu,
Rep. By its Secretary
Rural Development and
Panchayat Raj Department,
Fort St. George,
Chennai - 9.

2. The Director of Rural
Development and
Panchayat Raj Department,
Panagal Building,
Saidapet,
Chennai - 600 015.

3. The District Collector,
Trichy District,
Trichirappalli.

+1cc to M/s. Danshayini Reddy, Advocate, S.R.No.33455

+1cc to the Government Pleader, S.R.No.32959

PPA(CO)
EU(23/07/2015)

W.P.No.19247 of 2015

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