

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.07.2015

CORAM:

THE HONOURABLE MR. JUSTICE D.HARIPARANTHAMAN

Writ Petition No.20139 of 2015

1. R.Lourdusamy
2. V.Srinivasan
3. S.Koothaperumal
4. D.Kaliaperumal
5. M.Kaliyasamy
6. P.Radhakrishnan
7. V.Alliyankothai
8. N.Gopal
9. R.Balasubramanian
- 10.V.Rajamanickam

...Petitioners

vs.

1. The Government of Tamil Nadu,  
Rep. by its Secretary to Government,  
Rural Development and  
Panchayat Raj Department,  
Fort St.George, Chennai - 600 009.
2. The Commissioner of Rural Development  
and Panchayat Raj Department,  
Panagal Building, Saidapet,  
Chennai - 600 015.
3. The District Collector,  
Cuddalore District, Cuddalore.
4. The District Collector,  
Thiruvallur District, Thiruvallur.
5. The District Collector,  
Perambalur District,  
Perambalur.
6. The Principal Accountant General (A&E)  
Tamil Nadu, No.361, Anna Salai,  
Chennai - 600 018.

...Respondents

Petition filed under Article 226 of the Constitution of India for the issuance of writ of Mandamus directing the respondents herein to count two years Rural Welfare Officer training period undergone by the petitioners for increment and grant increment in the posts in which they were holding as on 30.07.1992 and

consequently refix their pay and pension together with arrears of pay and pension.

For Petitioners: Mr.V.Suthakar

For Respondents: Mr.V.Jayaprakash Narayanan  
Spl.Govt.Pleader for R1 to R5

Mr.V.Vijayshankar for R6

#### O R D E R

The petitioners retired either as Block Development Officers/Deputy Block Development Officers/Extension Officers/Assistants /Rural Welfare Officers Grade I and Junior Assistants/ Rural Welfare Officers Grade II.

2. The petitioners underwent two years training period in the cadre of Rural Welfare Officer Grade II.

3. By G.O.Ms.No.164 Rural Development Department, dated 30.07.1992, the persons who have undergone Rural Welfare Officer training were permitted to count the two year training period for the purpose of probation and increment. Based on the said Government Order, writ petition was filed claiming the benefit. The writ petition was allowed by this Court and the Government issued G.O.Ms.No.105 Rural Development and Panchayat Raj, dated 19.11.2010 in compliance of the order of this Court. Similarly situated persons approached this Court for similar relief and the Government issued G.O.Ms.No.85, Rural Development and Panchayat Department, dated 11.09.2012, in compliance of the order of this Court.

4. The petitioners herein, also claim similar relief and they made representation, dated 12.08.2014 in this regard. The learned counsel for the petitioners prays for disposal of the said representation in the light of G.O.Ms.No.105 and 85 referred to above, within a stipulated period.

5. The learned Special Government Pleader objected the very maintainability of the writ petition on the ground of laches. I am not inclined to agree with the objection made by the learned Special Government Pleader. When similarly situated persons were granted relief, the Government ought to have granted relief to the petitioners also without driving them to approach this Court. The persons, who claim the benefit under the said government orders also retired long back and they were granted relief by this Court and the same was also implemented by issuing Government Orders.

6. In view of the above, the writ petition is disposed of by directing the first respondent to consider the representation of the petitioners dated 12.08.2014 and pass appropriate orders in the light of G.O.Ms.No.105 dated 19.11.2010 and G.O.Ms.No.85 referred to above, 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

gg  
To

- 1.The Secretary,  
Rural Development and Panchayat Raj Department,  
Government of Tamil Nadu,  
Fort St.George, Chennai - 600 009.
- 2.The Commissioner of Rural Development  
and Panchayat Raj Department,  
Panagal Building, Saidapet,  
Chennai - 600 015.
3. The District Collector,  
Cuddalore District, Cuddalore.
4. The District Collector,  
Thiruvallur District, Thiruvallur.
5. The District Collector,  
Perambalur District, Perambalur.
6. The Principal Accountant General (A&E)  
Tamil Nadu, No.361, Anna Salai,  
Chennai - 600 018.

+ 1 cc to Mr.V. Suthakar, AdvocateSr.34209  
+ 1 cc to Government Pleader Sr.34732

W.P.No.20139 of 2015

GJ(CO)  
Eu 18.09.15