

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21.07.2015

CORAM:

THE HONOURABLE MR.JUSTICE D.HARIPARANTHAMAN

W.P.NO.21776 OF 2015

E.Balaraman

... Petitioner

Versus

1. The Secretary to Government,
Finance Department,
Fort St. George,
Chennai - 09.
2. The Secretary to Government,
Health & Family Welfare Department,
Fort St. George, Chennai - 600 009.
3. The Director of Public Health &
Preventive Medicine,
D.M.S.Complex,
Teynampet, Chennai.
4. The Deputy Director of Health Services,
Cheyyar,
Tiruvannamalai District.
5. The Accountant General of Tamil Nadu,
Teynampet, Anna Salai,
Chennai.

... Respondents

PRAYER: Writ petition filed under Article 226 of the Constitution of India praying for the issuance of Writ of Mandamus, directing the respondents to sanction annual increment to the petitioner in respect of the service rendered by him from 01.07.2008 to 30.06.2009 and consequently direct the respondents to revise the pension and other pensionary benefits.

For Petitioner : Mr.N.Naganathan

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

O R D E R

By consent, this Writ Petition is taken up for final disposal at the admission stage itself.

2. The petitioner was appointed as Vaccinator on 20.01.1973. He was promoted as Health Inspector on 11.09.1995. He was further promoted as Block Health Supervisor. He retired from service on 30.06.2009 on attaining the age of superannuation.

3. At the time of retirement, he was working as Block Health Supervisor at Government Primary Health Centre, Thellar, Tiruvannamalai District.

4. According to the petitioner, his annual increment falls on the 1st day of July every year. Since he worked from 01.07.2008 to 30.06.2009, he is entitled to annual increment for the said one year. The petitioner relies on G.O.Ms.No.311, Finance (CMPC) Department, dated 31.12.2014 in this regard. G.O.Ms.No.311, Finance (CMPC) Department, dated 31.12.2014 makes it very clear that the Government employee is entitled to annual increment for the service rendered for one year, if he retires on 31st December/31st March/30th June/30th September as the case may be and his increment falls due on 1st January/1st April/1st July/1st October and therefore, the petitioner shall be paid the annual increment as he has completed 12 months of service from 01.07.2008 to 30.06.2009.

5. In the circumstances, the claim of the petitioner, for annual increment for his service from 01.07.2008 to 30.06.2009, is fully justified particularly in view of the G.O.Ms.No.311, Finance (CMPC) Department, dated 31.12.2014 and the judgment dated 29.07.2013 in W.P.No.14401/2005 of this Court. Hence, a direction is issued to respondents 1 to 3 to grant annual increment for the period from 01.07.2008 to 30.06.2009 and to pay the arrears accordingly and also to send revised pension proposals to the 5th respondent within a period of 12 weeks from the date of receipt of a copy of this order.

This Writ Petitions is disposed of accordingly. No costs.

Sd/-
Asst.Registrar (CS III)

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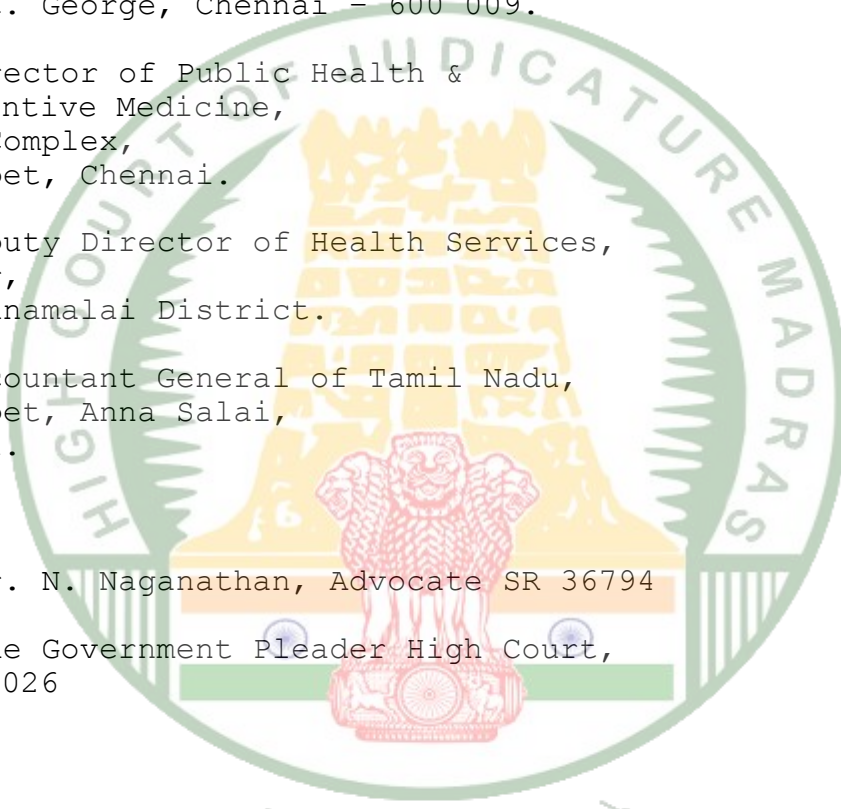
Sub Asst. Registrar

To

1. The Secretary,
Government of Tamil Nadu,
Finance Department,
Fort St. George,
Chennai - 09.
2. The Secretary to Government,
Health & Family Welfare Department,
Fort St. George, Chennai - 600 009.
3. The Director of Public Health &
Preventive Medicine,
D.M.S.Complex,
Teynampet, Chennai.
4. The Deputy Director of Health Services,
Cheyyar,
Tiruvannamalai District.
5. The Accountant General of Tamil Nadu,
Teynampet, Anna Salai,
Chennai.

+1cc to Mr. N. Naganathan, Advocate SR 36794

+1cc to the Government Pleader High Court,
SR 37026



सत्यमेव जयते

W.P.NO.21776 OF 2015

GP (CO)
RS 13.08.2015

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