

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATE: 13.10.2015

CORAM

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

W.P.No.32508/2015

V.Chidambaram
President
Rural Development Department
Pensioners Association
No.M.188, TNHB Colony,
Gandhi Gramam,
Pasupathipalayam, Karur 639 004. ..Petitioner

Versus

- 1.The Principal Secretary
Finance Department (Pension)
Fort.St.George,
Chennai - 600 0009.
- 2.The Director of Pension,
Anna Salai,
DMS Compound
Chennai - 600 018 .. Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, seeking for a writ of mandamus directing the respondents, especially the first respondent to review of payment of pension inclusive of grade pay, for the pre 2006 pensioners, as per the office memorandum F.No.38/37/08-P&PW (A) dated 28.3.2013 based on the petitioner's association representation dated 19.8.2015.

For Petitioner : Mr.C.D.Sugumar

For Respondents : Mr.S.Gunasekaran, GA

ORDER

By consent, the writ petition is taken up for final disposal.

2 The petitioner/Association claims that it represents the interests of the pensioners who served in the Department of Rural Department, Tamil Nadu. The petitioner would state that the members of the Association had retired from service prior to the year 2006 and as per the recommendations of the VI Pay Commencement, new pay scale called "Grade Pay" has been

introduced in payment of pensions and based on which, Finance [Pay Cell] Department of the Government of Tamil Nadu has issued G.O.Ms.No.235 dated 01.06.2009, revising the pension. However, the payment of Grade pay has not been extended to the pensioners and the Ministry of Personnel, PG & Pensions Department of the Government of India has issued Office Memorandum dated 28.01.2013, paying Grade Pay and therefore, the members of the petitioner/Association have submitted representations in that regard to the respondents and since no orders have been passed, the petitioner came forward to file this writ petition.

3 Heard the submissions of the learned counsel for the petitioner and Mr.S.Gunasekaran, learned Government Advocate who accepts notice on behalf of the respondents.

4 Though the petitioner has prayed for a larger relief, this Court, in the light of the above facts and circumstances and without going into the merits of the same, directs the 1st respondent to consider and dispose of the petitioner/Association's representation dated 19.08.2015 on merits and in accordance with law and pass orders within a period of ten weeks from the date of receipt of a copy of this order and communicate the decision taken, to the petitioner.

5 The writ petition is disposed of accordingly. No costs.

Sd/-
Assistant Registrar(CS V)

//True Copy//

Sub Assistant Registrar

AP

To

1.The Principal Secretary
Finance Department (Pension)
Fort.St.George,
Chennai - 600 0009.

2.The Director of Pension,
Anna Salai,
DMS Compound
Chennai - 600 018

+ 1 cc to Mr.C.D. Sugumar, Advocate SR.56052

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SKV(CO)
EU 02.11.15