

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13-10-2015

CORAM

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

WRIT PETITION No.32702 of 2015

1.A.Subramanian

2.C.Mylswamy

.. Petitioners

vs

1.The Government of Tamil Nadu
Represented by its Secretary
Rural Development and Panchayat
Raj Department
Fort St. George, Chennai 600 009

2.The Director of Rural Development
Department
Panagal Building
Saidapet, Chennai 600 015.

3.The District Collector
Coimbatore District
Coimbatore

4.The District Collector
Tiruppur District
Tiruppur

.. Respondents

Writ petition filed under Article 226 of the Constitution of India praying for issuance of a writ of mandamus directing the respondents to pay two increments for the training period in the post held by the petitioners as on 30.7.1992, continuously upto the date of retirement of the petitioners and consequently, take into account the said increments in the pensionary benefits and in the monthly pension of the petitioners and pay all monetary and other attendant benefits by extending the benefit of G.O.Ms.No.85, Rural Development and Panchayat Raj Department, dated 11.9.2012, and G.O.Ms.No.62, Rural Development and Panchayat Raj Department, dated 27.6.2013, following G.O.Ms.No.164, Rural Development Department, dated 30.7.1992, and G.O.Ms.No.367, Rural Development Department, dated 30.12.1997, to the petitioners.

For Petitioners

: Mr.K.Raja

For Respondents

: Mr.S.Gunasekaran
Government Advocate

ORDER

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

2.The deponent of the affidavit, who is the first petitioner, would state that he was initially appointed as a Rural Welfare Officer (RWO) Grade-II on 21.11.1969, and was promoted to the post of RWO Grade-I on 14.10.1983, and got further promotions as Extension Officer on 22.8.1987; Block Development Officer on 10.2.1998, and Assistant Director on 9.8.2001.

3.The first petitioner would further submit that the second petitioner joined as RWO Grade-II on 2.5.1970, and got promotion as RWO Grade-I on 1.2.1990, and further promotions as Extension Officer on 2.2.2000; Deputy Block Development Officer on 1.5.2004, and Block Development Officer on 1.10.2006.

4.It is further averred by the deponent/first petitioner that he retired on 30.6.2004, and the second petitioner retired on 29.2.2008, and both of them had undergone two year training in Sri Ramakrishna Vidyalaya, Periyanaickenpalayam, Coimbatore, between 1967 and 1969 and in terms of G.O.Ms.No.367, Rural Development (PA4) Department, dated 30.12.1997, two increments should be given to the RWOs, who had undergone two year training, and though the petitioners had completed two year training prior to their appointment and joined as RWO Grade-II, they have not been conferred with such a benefit and in this regard, they also submitted individual representations dated 17.4.2014, followed by the reminders dated 8.7.2015, and since no orders have been passed, came forward to file this writ petition.

5.The learned Counsel appearing for the petitioners, would contend that similarly placed persons had approached this Court by filing number of writ petitions and those writ petitions were ordered and the orders were also implemented vide G.O.Ms.Nos.99 and 164 of Rural Development and Panchayat Raj (PA4) Department, dated 16.2.2015 and 19.3.2015 respectively, and since the petitioners are similarly placed, they may be conferred with the said benefit.

6.The Court heard the submissions of Mr.S.Gunasekaran, learned Government Advocate, who accepted notice on behalf of the respondents 1 to 4, also.

7.Though the petitioners 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 second respondent to consider the petitioners' independent representations dated 17.4.2014, as well as the reminders dated 8.7.2015, on merits and in accordance with law and pass orders

thereon within a period of ten weeks from the date of receipt of a copy of this order and communicate the decision taken, to the petitioners. The writ petition is disposed of accordingly. No costs.

sd/
ASSISTANT REGISTRAR (CO)

/TRUE COPY/

SUB-ASSISTANT REGISTRAR

nsv

To:

- 1.The Secretary to Government
Rural Development and Panchayat
Raj Department
Fort St. George, Chennai 600 009
- 2.The Director of Rural Development
Department
Panagal Building
Saidapet, Chennai 600 015.
- 3.The District Collector
Coimbatore District, Coimbatore
- 4.The District Collector
Tiruppur District, Tiruppur

+1 CC to MR.K.Raja Advocate. SR.NO. 56477
+1 CC to Govt.Pleader. SR.NO. 56846

सत्यमेव जयते

W.P.No.32702 of 2015

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CO-AK
JD 28/10/2015