

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.10.2015

CORAM

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

W.P.No.34323 of 2015

1.M.Panneerselvam
2.K.Kaveri
3.Saraswathi
4.V.Chandra

... Petitioner

Vs.

- 1 The Government of Tamilnadu
Represented by its Secretary,
Rural Development and
Panchayat Raj Department,
Fort St. George,
Chennai-9
 - 2 The Director of Rural Development
Department,
Panagal Building,
Saidapet, Chennai-15
 - 3 The District Collector,
Villupuram District.
 - 4 The District Collector,
Krishnagiri District.
 - 5 The District Collector,
The Nilgiris District.
- ... Respondents

Prayer:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents herein to pay two increments for the training period in the post held by the petitioners/their husband herein as on 30.07.92 continuously up to the date of retirement of the petitioners/their husband and consequently take into account the said increments in the pensionary benefits and in the monthly pension/family pension of the petitioners and pay all monetary and other attendant benefits as paid to others through G.O.Ms.No.85 Rural Development and Panchayat Raj Department dated 11.09.2012 and G.O.Ms.No.62 Rural Development and Panchayat Raj Department dated 27.06.2013 in compliance of the

order passed in W.P.No.33981/2005 and 39046/2005 dated 05.07.2011.

For Petitioner : Mr.K.Raja
For Respondents : Mr.N.Srinivasan
Additional Government Pleader

O R D E R

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

2.The petitioners herein as well as the husbands of the petitioners 3 and 4 were initially selected as Rural Welfare Officer Grade II through the Tamil Nadu Public Service Commission and on the same day itself they were deputed for training for a period of two years and after the completion of training, all of them joined in the regular post of RWO Grade II and they were given further promotion as RWO Grade I based on their seniority and some of them got promotion as Extension Officer, Block Development Officer and Assistant Director and they retired on reaching the age of superannuation.

3.In respect of the training period undergone by them, the first respondent has taken note of the orders passed in W.P.Nos.33981 of 2005 and 39046 of 2005 and passed orders in G.O.Ms.No.85 Rural Development Department, dated 11.09.2012 and G.O.Ms.No.62 Rural Development Department dated 27.06.2013 sanctioning increment for the post held by them as on 30.07.1992. However, the benefit of the same has not been extended to the petitioners. Very many persons similarly placed had approached this Court by filing W.P.Nos.17459 of 2013, 19948 of 2013, 24481 and 12374 of 2015 and this Court has passed positive orders and those orders were also implemented by the Government Orders in G.O.1(D) No.99, Rural Development and Panchayat Raj Department dated 16.02.2015, G.O.164, Rural Development and Panchayat Raj Department dated 19.03.2015 and since the petitioners are similarly placed, they submitted a representation dated 25.12.2014 to the first respondent and since no orders have been passed, came forward to file this writ petition.

4.Heard the submissions of Mr.K.Raja, the learned counsel appearing for the petitioner and Mr.N.Srinivasan, learned Additional Government Pleader who accepts notice on behalf of the respondents.

5.Though the petitioners prayed for the 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 same on merits and in accordance with

law and if a case is made out, forward the said proposal to the first respondent who on receipt of the same is directed to consider the said proposal in accordance with law and pass orders within a period of six weeks from the date of receipt of a copy of this order and communicate the decision taken, to the petitioners.

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

Sd/-
Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

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To

- 1 The Secretary to Government of Tamilnadu
Rural Development and Panchayat Raj Department,
Fort St. George, Chennai-9
- 2 The Director of Rural Development Department,
Panagal Building,
Saidapet, Chennai-15
- 3 The District Collector,
Villupuram District.
- 4 The District Collector,
Krishnagiri District.
- 5 The District Collector,
The Nilgiris District.

+ 1 cc to Mr.K.Raja, Advocate SR.58374
+ 1 cc to Government Pleader SR.58824

W.P.No.34323 of 2015

BVR(CO)
Eu 23.11.15