

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.11.2015

CORAM

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P.Nos.36701 and 36702 of 2015

K.Siva [Petitioner in W.P.No.36701/15]

M.Elumalai [Petitioner in W.P.No.36702/15]

Vs

The Principal Secretary to Government
Finance (Pay Cell) Department
Secretariat, Chennai-600 009.

[Respondent]

Writ Petitions filed under Article 226 of the Constitution of India to issue a Writ of mandamus directing the Respondents to extend the benefits of G.O.Ms.No.340 Finance (Pay Cell) Department dated 26.08.2010 to the petitioners and consequential monetary benefits in the light of their representations dated 28.05.2015.

For Petitioners : Mr.K.Govindaraj

For Respondent : Mr.S.Gunasekaran,
Government Advocate

O R D E R

Heard the learned counsel appearing for the petitioners and Mr.S.Gunasekaran, learned Government Advocate, who took notice for the respondent and with their consent, the main writ petitions are taken up for disposal.

2. The petitioners have come forward with these writ petitions seeking a direction to the respondents to extend the benefits of G.O.Ms.No.340 Finance (Pay Cell) Department dated 26.08.2010 to the petitioners and the consequential monetary benefits in the light of their representations dated 28.05.2015.

3. The petitioners though recruited through TNPSC prior to 01.06.2009, joined duty as Junior Assistants in the year 2010 and they belonged to second batch of about 5500 Junior Assistants and the benefit of G.O.Ms.No.340 dated 26.08.2010 have not been conferred on them. At this juncture, it is relevant to state that by G.O.Ms.No.340, the Government issued orders in exercise of the powers

conferred under Rule 13 of the Tamil Nadu revised scales of pay Rules, 2009, in favour of the incumbents recruited as Junior Assistants from among contract Assistant/Agricultural Officers and other similar categories of posts recruited through the TNPSC in the same batch prior to 01.06.2009 and joined/appointed on a subsequent date on or after 01.06.2009 due to administrative reason duly allowing the fitment benefits to the individual employees concerned as a special case. It was further directed that the above fixation benefit would be given notional effect from the date of appointment of the individual employees concerned with monetary benefit from 01.08.2010. Since the said benefit has not been conferred on the petitioners, they made representations dated 28.05.2015 and they are pending consideration with the 1st respondent.

4. In view of the above, the respondents are directed to consider the representations of the petitioners dated 28.05.2015 in the light of G.O.Ms.No.340, Finance (Pay Cell) Department, dated 26.08.2010 and pass appropriate orders within a period of eight weeks from the date of receipt of a copy of this order.

The writ petitions are disposed of accordingly. No costs.

Rg

Sd/-

Assistant Registrar (CO)

/True Copy/

Sub-Assistant Registrar

To

The Principal Secretary to Government
Finance (Pay Cell) Department
Secretariat, Chennai-600 009.

+1 C.C. To MR.K.Govindaraj, Advocate in SR.NO.62544, 62543

+1 C.C. To Government Pleader in SR.NO.62630

W.P.Nos.36701 and 36702 of 2015

PPA(CO)

sd : 26/11/2015