



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED:24.02.2015
CORAM:

THE HONOURABLE MR.JUSTICE K.RAVICHANDRABAABU

W.P. (MD) Nos.2335 to 2338 of 2015

1.A.Periandy	... Petitioner in W.P.2335/2015
2.V.Krishnamoorthy	... Petitioner in W.P.2336/2015
3.K.H.Subramanian	... Petitioner in W.P.2337/2015
4.U.Rajamani	... Petitioner in W.P.2338/2015

Vs.

1.The State of Tamil Nadu,
Rep.by the Secretary to Government,
Finance (Pension) Department,
Chennai - 600 009.

2.The Accountant General (A&E),
Tamil Nadu, 361, Anna Salai,
Chennai - 600 018

3.The District Treasury Officer,
Madurai District,
Madurai - 625 020 ... Respondents in Wps.in 2335 TO 2337/15

The Sub-Treasury Officer
Manamadurai, Sivagangai-630 606 ... 3rd. Respondent in WP(MD).2338/15

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, to direct the respondents to implement G.O.Ms.No.363 Finance (PGC) Department, dated 23.08.2013 in accordance with G.O.Ms.No.272 Finance (Pension) Department dated 15.06.1998 to the petitioner wherein merger of entire Dearness Allowance as Dearness pay and pay the consequential arrears within a stipulated period.

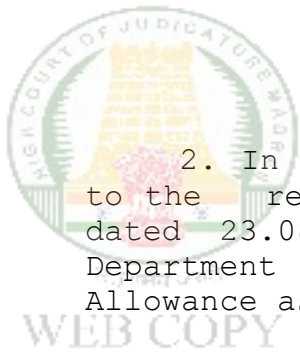
For Petitioners : Mr.B.Alagar Samy
(In all Wps.)

For Respondents : Mr.S.Kumar
(R1 and R3) Addl.Govt.Pleader
(In all Wps.)

For Respondent-2 : Mr.P.Gunasekaran
(In all Wps.)

COMMON ORDER

<https://hcservices.ecourts.gov.in/hcservices/> Mr. S. Kumar, the learned Additional Government Pleader takes notice for the respondents 1 and 3 and Mr.P.Gunasekaran, learned standing counsel takes notice for the 3rd respondent.



2. In all these writ petitions the petitioners seek for a direction to the respondents to implement G.O.Ms.No.363 Finance (PGC) Department, dated 23.08.2013 in accordance with G.O.Ms.No.272 Finance (Pension) Department dated 15.06.1998 in respect of merger of entire Dearness Allowance as Dearness pay and pay the consequential arrears.

3. According to the petitioners, they are entitled to the benefit of G.O.Ms.No.363, Finance (PGC) Department, dated 23.08.2013, G.O.Ms.No.272, Finance (Pension) Department, dated 15.06.1998, G.O.Ms.No.174, Finance (Pay Cell) Department, dated 21.04.2009 and G.O.Ms.No.235, Finance (Pay Cell) Department, dated 1.6.2009, for merger of entire Dearness Allowance, as Dearness pay and pay. Whether the petitioners' claim is having any justification or not is for the respondents, more particularly, the first respondent to consider and decide the same on merits. Therefore, this Court at this stage is not expressing any view on the claim made by the petitioners. However, it is seen that the petitioners have made representations on 28.10.2014, 19.12.2014, 29.12.2014 and 19.12.2014 respectively and therefore, the said representations have to be considered by the first respondent.

4. Accordingly, these writ petitions are disposed of only with a direction to the first respondent to consider those representations of the petitioners and pass orders on the same on merits and in accordance with law also by considering the fact as to whether the above referred Government Orders are applicable to the petitioners case also. Such exercise shall be done by the first respondent within a period of 12 weeks from the date of receipt of a copy of this order. No costs.

Sd/-

Assistant Registrar(T & P)

\\True copy\\

Sub Assistant Registrar

To

1.The Secretary to Government, State of Tamil Nadu,
Finance (Pension) Department, Chennai - 600 009.

2.The Accountant General (A&E), Tamil Nadu, 361, Anna Salai,
Chennai - 600 018

3.The District Treasury Officer, Madurai District, Madurai - 625 020

4.The Sub Treasury Officer, Manamadurai-630 606, Sivagangai District.

+1 CC TO M/S.P.GUNASEKARAN, ADVOCATE SR.NO.9089

+4 CC TO M/S.B.ALAGARSAMY, ADVOCATE SR.NO.8570 TO 8573

+1 CC TO THE SPL.GOV.T.PLEADER SR.NO.8995

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