

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11.04.2016

CORAM:

THE HONOURABLE Mr. JUSTICE T.RAJA

W.P. No.13387 of 2016

V.Yoganandam

.. Petitioner

-vs-

1. Director of Sericulture,
Anaaimedu,
Salem - 636 001.

2. The Assistant Director of Sericulture,
Anaaimedu, Salem - 636 001. .. Respondents

Petition filed under Article 226 of the Constitution of India for the issuance of a Writ of Mandamus, directing the second respondent to consider the petitioner's representation dated 03.12.2015.

For petitioner : Mr.M.Muthu Pandian

For respondents : Mr.S.Gunasekaran
Additional Government Pleader

ORDER

The writ petition has been filed by the petitioner, seeking a direction to the second respondent to consider his representation dated 03.12.2015.

2. The petitioner, after serving as Junior Inspector in the department of Sericulture, was voluntarily retired from service on 31.03.2015. While so, his grievance is that as per the fundamental rules, the Government Servants are entitled to draw annual increment for every quarter and the date of annual increment is being fixed on 1st January, 1st April, 1st July and 1st October of every year. In addition thereto, G.O. Ms. No.311 dated 31.12.2014, has been issued by the Government Finance (CMPL) Department, directing that a Government Servant whose increment falls due on the day following superannuation, on completion of one full year of service, which are countable for increment under Fundamental Rules 26, be sanctioned one notional

increment at the rate as described under Rule 6 of the Tamil Nadu Revised Scale of Pay Rules 2009 for the purpose of pensionary benefits. Therefore, since he retired from service voluntarily on 31.03.2015, he is entitled for one notional increment for which he has given a representation on 03.12.2015 to the respondents requesting them to grant one notional increment from 01.04.2014 to 31.03.2015. But, the same has not evoked any response. Hence, he is before this Court.

3.Learned Additional Government Pleader appearing for the respondents sought eight weeks time to consider the representation.

4.Heard the learned counsel appearing for the petitioner and the learned Additional Government Pleader appearing for the respondents.

5.Considering the limited relief sought for in this writ petition, without going into the merits of the case, the second respondent is directed to consider the petitioner's representation dated 03.12.2015 and pass appropriate orders, on merits and in accordance with law, within a period of eight weeks from the date of receipt of a copy of this order.

6.With the above direction, the Writ Petition is disposed of. No costs.

Sd/-

Assistant Registrar (CS-VII)

//True Copy//

Sub Assistant Registrar

vga

To

1.Director of Sericulture,
Anaimeadu,
Salem - 636 001.

2.The Assistant Director of Sericulture,
Anaimeadu, Salem - 636 001.

1 cc to Mr.M.Muthupandian, Advocate, sr.22924

1 cc to The Government Pleader, sr.22729

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kra 25.05.2016