

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.10.2016

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THE HONOURABLE MR.JUSTICE R.SUBBIAH

W.P.No.35761 of 2016

T.Vincent

... Petitioner

Vs.

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

2 The Director
Directorate of Rural Development and
Panchayat Raj,
Panagal Maaligai,
Saidapet,
Chennai – 600 015.

3 The District Collector
Perambalur District,
Perambalur.

... Respondents

Prayer:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents to sanction annual increment by taking into account of one year service rendered by the petitioner from 01.07.2008 to 30.06.2009 and consequently direct the respondents to revise the pension and pay arrears to the petitioner in the light of order passed by this Honourable Court in W.P. No.13605/2015 dated 08.06.2015.

For Petitioner : Mr.K.Sannjay
For Respondents : Mr.K.Dhananjayan
Special Government Pleader

O R D E R

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

2.The present writ petition has been filed seeking a Mandamus directing the respondents to sanction annual increment by taking into account of the one year service rendered by the petitioner from 01.07.2008 to 30.06.2009 and consequently direct the respondents to revise the pension and pay arrears to the petitioner in the light of order passed by this Court in W.P. No.13605 of 2015 dated 08.06.2015.

3.The petitioner would state that he was initially selected and appointed as Village Grama Seva Grade II in the year 1975 through Employment Exchange and thereafter, he was posted as Rural Welfare Officer Grade I in the year 1985. The petitioner was further promoted as Executive Officer in the year 1996 and was further promoted as Deputy Block Development Officer in the year 2000. The petitioner was further promoted as Block Development Officer in the year 2005 and he retired from service on reaching the age of superannuation on

30.06.2009.

4.The petitioner would further state that his increment date falls on 01.07.2009 i.e., the very next day of his retirement date and would further state that the Government has issued G.O.Ms.No.311, Finance (CMPC) Department, dated 31.12.2014, wherein the Government has decided to sanction one increment to the Government Employee whose increment falls on the next day from the date of retirement and hence, he is entitled to get one increment. The petitioner in this regard, has made several representations and the last of such representation was made on 08.08.2016, but the same was not considered. Hence, this petition.

5.The learned counsel appearing for the petitioner relied upon the order of this Court dated 08.06.2015, made in W.P.No.13605 of 2015 and would submit that this Court in the decision cited supra, has allowed the writ petition and has directed the respondents therein to grant annual increment for the service rendered by the petitioner therein and thus prayed for appropriate orders.

6.Heard the submissions of the learned counsel appearing for the petitioner and the learned Special Government Pleader who takes

notice for the respondents.

7.Considering the submissions made on either side and without going into the merits of the case, this Court directs the petitioner to give a copy of the representation dated 08.08.2016, along with a copy of this order to the respondents, within a period of two weeks from the date of receipt of a copy of this order and on receipt of the same, the respondents are directed to pass appropriate orders, on merits and in accordance with law and in the light of the order of this Court dated 08.06.2015 made in W.P.No.13605 of 2015, within a period of four weeks thereafter.

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

07.10.2016

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Index: Yes/ No

Internet: Yes/ No

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R.SUBBIAH,J.

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