

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 10.02.2016

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

W.P. Nos.5048 and 5049 of 2016

1.S.Panneerselvam
2.R.Santhanakrishnan
3.S.Kunjithapatham ... Petitioners in W.P. No.5048 of 2016

1.G.Pakkirisamy
2.S.Ramachandran
3.H.Amirthanathan ... Petitioners in W.P. No.5049 of 2016

-vs-

1.The Government of Tamil Nadu,
rep. by its Secretary,
Rural Development and
Panchayat Raj Department,
Fort St. George, Chennai-600 009.

2.The Director of Rural Administration,
Panagal Building, Saidapet,
Chennai-600 015.

3.The District Collector,
Collectorate, Thanjavur District.

... Respondents in both petitions

Prayer in W.P. No.5048 of 2016: Petition filed under Article 226 of the Constitution of India to issue a writ of mandamus directing the respondents herein to forthwith consider the petitioners' representation dated 20.01.2015 followed by further representation dated 28.12.2015 and grant two increments in the post held by the petitioners at the time of their retirement and consequently take into account the said monetary benefits in the pensionary benefits and pay all arrears and monthly pension accordingly within a stipulated time.

Prayer in W.P. No.5049 of 2016: Petition filed under Article 226 of the Constitution of India to issue a writ of mandamus directing the respondents herein to forthwith consider the petitioners' representation dated 20.01.2015 followed by further representation dated 28.12.2015 and grant two increments in the post held by the petitioners as on 30.07.1992 continuously upto the date of retirement of the petitioners and consequently take

into account the said increments in the pensionary benefits and monthly pension and pay all monetary and other attendant benefits.

For Petitioners in
both petitions : Mr.K.Raja

For Respondents in : Mr.S.Gunasekaran,
both petitions Government Advocate

COMMON ORDER

The writ petitions have been filed by the petitioners seeking direction to the respondents herein to forthwith consider the petitioners' representation dated 20.01.2015 followed by further representation dated 28.12.2015 and to grant two increments in the post held by the petitioners and to pay all attendant benefits within a stipulated time.

2.Learned counsel appearing for the petitioners, taking reliance from the G.O. (Ms) No.62, Rural Development and Panchayat Raj Department dated 27.06.2013, submitted that very recently the respondents have settled the similar issue as that of the petitioners. He would further submit that although the petitioners retired long time ago, the time is not barred by limitation and hence the said G.O. is also applicable to the petitioners.

3.Heard Mr.K.Raja, learned counsel appearing for petitioners as well as Mr.S.Gunasekaran, learned Government Advocate appearing for respondents.

4.Considering the submission made by the learned counsel for the petitioners, I find that the observation made in the said G.O. (Ms.) No.62 Rural Development and Panchayat Raj Department dated 27.06.2013 is prima facie applicable to the petitioners. Therefore, considering the limited relief sought for by the petitioners, without going into the merits of the case, I direct the petitioners to give fresh representations along with a copy of this order, to the respondents, within a period of one week from the date of receipt of a copy of this order and on receipt of the representations, the first respondent shall consider the same on merits and in accordance with law, within a period of eight weeks thereafter.

5.With the above direction, the writ Petitions are disposed of. No costs.

vga

-s/d-

Assistant Registrar (CS-VI)

True Copy

Sub-Assistant Registrar

To

1.The Government of Tamil Nadu,
rep. by its Secretary,
Rural Development and
Panchayat Raj Department,
Fort St. George, Chennai-600 009.

2.The Director of Rural Administration,
Panagal Building, Saidapet,
Chennai-600 015.

3.The District Collector,
Collectorate, Thanjavur District.

+ 2 ccs to Govt.Pleader SR 8836 and 8837

+ 2 ccs to Mr.K.Raja, Advocate SR 8649 & 8648

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