



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 01.12.2016

CORAM :

WEB COPY

THE HONOURABLE DR.JUSTICE S.VIMALA

W.P(MD)No.1699 of 2014

- 1.R.Ramamoorthy
- 2.P.Jeyaraman
- 3.N.Vembulu
- 4.M.Sampantham
- 5.S.Thangapandian
- 6.S.P.Ramasamy

... Petitioners

vs.

1. The State of Tamil Nadu
Rep. by its Principal Secretary to Government,
Rural Development Department,
Chennai.
2. The Commissioner,
Rural Development and Panchayat Raj
Department,
Panagal Building,
Saidapet, Chennai - 15.
3. The Accountant General,
(Accounts & Entitlements Tamil Nadu)
361, Anna Salai,
Chennai - 78.
4. The District Collector,
Office of the Collectorate,
Pudukottai District,
Pudukottai.

... Respondents

Petition filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Mandamus in the nature of writ directing the respondents herein to pay the increments for the undergone training period in the post held by petitioners 1 to 6 as retired on or before and after 30.07.1992 continuously take into the account the said increments in the pensionary benefits and in the monthly pension of the petitioners with all monetary and other benefits within stipulated time framed fixed by this



For Petitioners
For RR - 1, 2 & 4
For R - 3

: Mr.A.P.Muthupandian
: Mr.T.S.Mohammed Mohideen
Additional Government Pleader
: Mr.P.Gunasekaran

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ORDER

This Writ of Mandamus has been filed, seeking a direction to the respondents to pay increment for the training period in the post held by the petitioners as retired on or before and after 30.07.1992 and consequently to take into account the said increments for the pensionary benefits.

2.Heard the learned counsel for the petitioners and the learned Additional Government Pleader for the respondents 1, 2 & 4 and the learned counsel for the third respondent.

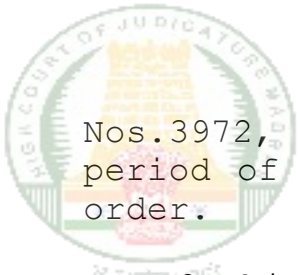
3.The petitioners were initially appointed as Rural Welfare Officers (Gr.II) and during the period they have been deputed to undergo training at Government Training Centre for 1 year/1 ½ years /2 years at Government cost. The training period undergone by the trainees is deemed to be duty period. After completion of training, the selected persons were posted as Rural Welfare Officer Gr-II (Grama Sevak Gr.II) in various places. The petitioners retired from service in their respective posts as mentioned in the petition.

4.The Government of Tamil Nadu passed G.O.Ms.No.1373 P & AR (Per.B) Department, dated 26.12.1979 stating that the direct recruits were allowed to draw pay at one stage below the minimum of pay in the time scale of pay applicable to the post concerned during the period of their training.

5.Claiming benefits under G.O.Ms.No.1373 P & AR (Per.B) Department, dated 26.12.1979; G.O.Ms.No.610 P & A (Per.M) dated 28.06.1982 and G.O.(Ms.)No.535 Rural Development dated 10.07.1986, the petitioners have submitted a representation 12.10.2013. As the same is not considered, this writ petition has been filed.

6.The learned counsel for the petitioners submitted that the issue involved in this writ petition is squarely covered by the orders of this Court in WP(MD)Nos.3972, 4486, 6125 and 6096 of 2013, dated 30.08.2013, under which, a direction was issued to the respondents to pay increments and other monetary benefits to the petitioners for the training period in the posts held by them within a period of eight weeks.

7.Under such circumstances, the respondents 1 and 2 are directed to consider the representation of the petitioners dated 12.10.2013 in the light of the common order passed in WP(MD)



Nos.3972, 4486, 6125 and 6096 of 2013 dated 30.08.2013 within a period of eight weeks from the date of receipt of a copy of this order.

8.This writ Petition is disposed of with the above direction.
No costs.

Sd/-
Assistant Registrar (P&A)

/True Copy/

Sub Assistant Registrar

To

1. The Principal Secretary to Government,
State of Tamil Nadu
Rural Development Department,
Chennai.
2. The Commissioner,
Rural Development and Panchayat Raj
Department,
Panagal Building,
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3. The District Collector,
Office of the Collectorate,
Pudukottai District,
Pudukottai.
4. The Accountant General,
(Accounts & Entitlements Tamil Nadu)
361, Anna Salai,
Chennai - 78.

+ 1 CC TO Mr.A.P.MUTHUPANDIAN, ADVOCATE IN SR No. 78745
+ 1 CC TO Mr.P.GUNASEKARAN, ADVOCATE IN SR No. 79218
+ 1 CC TO SPECIAL GOVERNMENT PLEADER IN SR No. 78141

MJ
TE/SV-MMS : 10/02/2017 : 3P/8C

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