



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 01.02.2016

WEB COPY

CORAM:

THE HONOURABLE MRS.JUSTICE PUSHPA SATHYANARAYANA

W.P(MD)No.1952 of 2016

R.Vedavairu

... Petitioner

Vs.

1.The Secretary to Government,
Finance(Treasuries & Accounts-II)Department,
Secretariat,
Chennai - 600 009.

2.The Special Commissioner of Treasuries and Accounts,
Treasuries and Accounts Department,
Panagal Buildings,
Saidapet,
Chennai - 600 015.

3.The Treasury Officer,
District Treasury,
Ramanathapuram District,
Ramanathapuram.

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the first respondent ie., the Secretary to Government, Finance Department, Chennai to consider the representation, dated 19.12.2015 of the petitioner and sanction the increment for the service rendered by the petitioner from 01.01.2007 to 31.12.2007 which fell due on 01.01.2008 ie., the next day of superannuation as per the specific provision contained under FR 26(a) Appendix (ix) and the orders of this Court in W.P(MD)No.22589 of 2010, dated 03.08.2011 confirmed by the Honourable Division Bench in W.A(MD)No.2095 of 2011, dated 10.11.2011 and further confirmed by the Honourable Supreme Court in C.C.No.10842 of 2013, dated 04.07.2013.

For Petitioner : Mr.S.Visvalingam

For Respondents : Mr.S.Chandrasekar,
Government Advocate

**ORDER**

Mr.S.Chandrasekar, learned Government Advocate takes notice for the respondents.

2. By consent of parties, the main Writ Petition is taken up for final disposal.

3. The petitioner seeks for a Mandamus directing the first respondent to consider his representation, dated 19.12.2015 and sanction the increment for the service rendered by the petitioner from 01.01.2007 to 31.12.2007 which fell due on 01.01.2008 ie., the next day of superannuation as per the specific provision contained under FR 26(a) Appendix(ix) and the orders of this Court in W.P(MD)No.22589 of 2010, dated 03.08.2011, confirmed by the Honourable Division Bench of this Court in W.A(MD)No.2095 of 2011, dated 10.11.2011 and further confirmed by the Honourable Supreme Court in C.C.No.10842 of 2013, dated 04.07.2013.

4. The case of the petitioner is that he was serving as Selection Grade Accountant in the District Treasury, Ramanathapuram and he retired from service on 31.12.2007 and he received all the retirement benefits. But, the last increment which fell due on 01.01.2008 was not sanctioned and paid to him, as per law, for that, he made a representation before the first respondent on 19.12.2015. The same is said to be still pending.

5. Therefore, without expressing any opinion on the merits of the claim made by the petitioner, the first respondent is directed to consider the representation of the petitioner, dated 19.12.2015 and pass appropriate orders on the same, on merits and in accordance with law, within a period of six weeks from the date of receipt of a copy of this order.

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

Sd/-

Assistant Registrar(CS-I)

/True Copy/

Sub Assistant Registrar

To

1.The Secretary to Government,
Finance(Treasuries & Accounts-II)Department,
Chennai - 600 009.



2.The Special Commissioner of Treasuries and Accounts,
Treasuries and Accounts Department,
Panagal Buildings,
Saidapet,
Chennai - 600 015.

3.The Treasury Officer,
District Treasury,
Ramanathapuram District,
Ramanathapuram.

+1cc to Mr.S.Visvalingam, Advocate Sr.No.5868

+1cc to Spl.GOvernemnt Pleader Sr.No.6395

pm

AA/AAL-MPA/09.02.2016/3p-6c

W.P (MD) No.1952 of 2016
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