



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated : 01.12.2016

C O R A M

WEB COPY

THE HONOURABLE DR.JUSTICE **S.VIMALA**

Writ Petition (MD) No.23292 of 2016

A.Kakkappan, President,
Madurai District Retired Village
Administrative Officers Association,
Collectorate Complex, Madurai - 625 020. .. Petitioner

Vs.

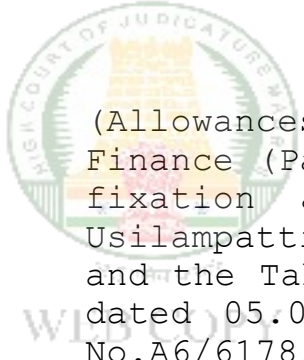
- 1.The Secretary to Government,
Revenue Department, Secretariat, Chennai.
- 2.The Commissioner of Revenue Administration
Ezhilagam, Chepauk, Chennai - 600 005.
- 3.The District Collector,
Madurai District, Madurai. .. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus directing the first and second respondents i.e. the Secretary to Govt. Revenue Department Chennai and Commissioner of Revenue Administration Chennai to pass appropriate orders on the petitioner's representation dated 15.07.2015 regarding re-fixation of house rent allowance as per G.O.No.218 Finance (Allowances) Department dated 23.03.1993 and G.O.Ms.No.162 Finance (Pay Cell) Department dated 13.04.1998 and as per the re-fixation and disbursement already ordered by the Tahsildar, Usilampatti in his proceedings No.9754/2014/A1 dated.03.12.2014, the Tahsildar, Madurai South in his proceedings No.807/2015/D, dated 05.02.2015 and the Tahsildar, Sivakasi in his proceedings No.A6/6178/2015 dated 10.04.2015, without any discrimination and within a specified time frame that may be fixed by this Court.

For petitioner	... Mr.S.Visvalingam
For Respondents	... Mr.T.S.Mohamed Mohideen
	Additional Government Pleader

O R D E R

This is a writ of Mandamus seeking direction to the first respondents to pass appropriate orders on the petitioner's representation, dated 15.07.2015 regarding re-fixation of house rent allowance as per G.O.No.218, Finance



(Allowances) Department, dated 23.03.1993 and G.O.Ms.No.162, Finance (Pay Cell) Department, dated 13.04.1998 and as per the re-fixation and disbursement already ordered by the Tahsildar, Usilampatti in his proceedings No.9754/2014/A1 dated.03.12.2014 and the Tahsildar, Madurai South in his proceedings No.807/2015/D, dated 05.02.2015 and the Tahsildar, Sivakasi in his proceedings No.A6/6178/2015 dated 10.04.2015, without any discrimination.

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

3.The grievance of the petitioner is that in Madurai District the entire retired Village Administrative Officers of Usilampatti Taluk and Madurai South Taluk were given the revised house rent allowances with effect from 01.01.1996 to 31.05.2009. But in respect of Vadipatti Taluk and Thirumangalam Taluk, a portion of the retired Village Administrative Officers were given the revised house rent allowances. In the remaining Taluks i.e. Madurai North Taluk, Melur Taluk, Peraiyur Taluk, Madurai East Taluk, Madurai West Taluk and Thiruparankundram Taluk, the retired Village Administrative Officers were not paid the revised house rent allowances. So stating the President of Madurai District Retired Village Administrative Officers Association, has given a representation dated 15.07.2015 to the respondents. Since the same has not been considered, the present writ petition has been filed.

4.The learned Additional Government Pleader for the respondents would point out that the Association is not entitled to file this writ petition and the individuals, who suffered, should have filed individual writ petition.

5.When the issue is common for all the employees, there is no impediment for the association to move this writ petition, especially in the Labour matter, where bargaining power of the employee are less. Therefore, the writ petition has been rightly filed by the association.

5.1 It is agreeable for the learned Additional Government Pleader appearing for the respondents to consider the representation of the petitioner.

6.Under such circumstances, the respondents 1 and 2 are directed to consider the representation of the petitioner dated 15.07.2015 within a period of eight weeks from the date of receipt of a copy of this order.

7.With the above direction, the writ petition is disposed of. No costs.

Sd/-

Assistant Registrar(RTI)



To

1.The Secretary to Government,
Revenue Department.
Secretariat, Chennai.

2.The Commissioner of Revenue Administration
Ezhilagam, Chepauk,
Chennai - 600 005.

3.The District Collector,
Madurai District, Madurai.

+1 cc to MR.S.VISVALINGAM, Advocate SR.No.78319

+1 cc to Special Government Pleader SR.No.79010

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SMA/CM-MSA/14.02.2017:3P/6C