



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 25.04.2016

CORAM

THE HONOURABLE MRS.JUSTICE PUSHPA SATHYANARAYANA

WEB COPY

W.P.(MD)No.7934 of 2016

R.Subbaraju

.. Petitioner

Vs.

1.The Secretary to Government,
Education Department, Secretariat,
Chennai - 600 009.

2.The Director of Elementary Education,
DPI Complex, College Road,
Chennai - 600 006.

3.The District Elementary Educational Officer,
Virudhunagar,
Virudhunagar District.

.. Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus, directing the first respondent i.e., the Secretary to Government, Education Department, Chennai to pass appropriate orders on the petitioner's representation, dated 21.12.2015 regarding sanction of his last increment which fell due on 01.07.2011 as per the specific provisions contained in FR 26(a) Appendix (ix) and in the light of the dictum of the Hon'ble Supreme Court in C.C.No.10842 of 2013, dated 04.07.2013 and to send revised pension proposals within a specified time.

For Petitioner

... Mr.S.Visvalingam

For respondents

... Mr.Aairam K.Selvakumar,
Government Advocate

ORDER

Mr.Aairam K.Selvakumar, learned Government Advocate, takes notice for the respondents. By consent, the writ petition is taken up for final disposal at the stage of admission itself.

2.Heard the learned counsel appearing on either side.

3.The grievance of the petitioner, who served as Driver under the respondents and retired from service on 30.06.2011, is that his last increment which fell on 01.07.2011 has not been paid to him, as per provisions contained in FR 26(a) Appendix (ix) and in the light of the dictum of the Hon'ble Supreme Court in



C.C.No.10842 of 2013, dated 04.07.2013. In this regard, the petitioner had sent a representation on 21.12.2015. As there was no response to the same, the petitioner has come up with this writ petition.

4.Considering the limited relief sought for by the petitioner, this Court, without going into the merits of the claim of the petitioner, directs the first respondent to consider the representation of the petitioner, dated 21.12.2015 and pass orders on the same on merits and in accordance with law within a period of eight weeks from the date of receipt of a copy of this order.

5.The Writ Petition stands disposed of accordingly. No costs.

Sd/-

Assistant Registrar(CS-II)

/True copy/

Sub Assistant Registrar
Madurai Bench of Madras High Court,
Madurai.

gcg

To

1.The Secretary to Government,
Education Department, Secretariat,
Chennai - 600 009.

2.The Director of Elementary Education,
DPI Complex, College Road,
Chennai - 600 006.

3.The District Elementary Educational Officer,
Virudhunagar,
Virudhunagar District.

+1 cc to Mr.S.Visvalingam,Advocate Sr No.23089

rg.NGM-SS 06.05.2016 2P/5C

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