

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.05.2017

CORAM

THE HONOURABLE MR.JUSTICE R.SUBRAMANIAN

W.P.No.11884 of 2016

- 1.T.R.K.Suriyaprakash
- 2.R.K.Ravindran
- 3.V.Balasubramani
- 4.R.Vijayaraghavan
- 5.K.Balaiya
- 6.M.Kesavulu
- 7.K.Ramanathan
- 8.C.Kalyanasundaram
- 9.K.Thachanamoorthy
- 10.S.Abbas Mandiri
- 11.R.Elangovan
- 12.S.Natarajan
- 13.V.P.Sathyavagheshwaran
- 14.A.Sivakumar
- 15.T.Geetha Jayasree
- 16.B.Sundararaman
- 17.B.Senthil Nadhan
- 18.M.Manmadhan
- 19.M.Mani
- 20.V.Veeralakshmi
- 21.M.Kuzhali

...Petitioners/Petitioners

Vs.

- 1.The Government of Tamilnadu,
Rep.Secretary, Public Works Department,
Fort St.George,
Chennai - 9.

- 2.The Engineer - in - Chief (WRD) &
Chief Enineer (GI),
Public Works Department,
Chepauk, Chennai - 5. ... Respondents/Respondents

Prayer:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents to grant two advance increments to the petitioners from the date of their acquiring M.E.Degree, and to consequentially revise their

pay and pay them all consequential arrears therefor within a time frame as may be fixed by this Hon'ble Court.

For Petitioners : Mr.N.Subramaniyan
For Respondents : Mr.P.Sanjay Gandhi
Additional Government Pleader

O R D E R

Aggrieved by the non grant of advance increments for obtaining Post Graduate Qualification, as per G.O.Ms.No.1195 Public Works Department, dated 11.07.1992, the petitioners are before this Court seeking a writ of mandamus directing the respondents to grant advance increments from the date of their acquiring Post Graduate Qualification.

2.The issue relating to grant of advance increments is no longer res integra. This Court has been repeatedly issuing orders directing the respondents to grant advance increments to all those Engineers who have obtained Post Graduate Qualification prior to issuance of G.O.Ms.No.1195, Public Works Department, dated 11.07.1992. The issue is actually covered by the decisions of this Court in W.P.No.22933 of 2007 dated 07.01.2009, W.P.No.2703 of 2012 dated 10.09.2012, W.P.No.37 of 2014 dated 03.01.2014 and W.P.No.4863 of 2014 dated 20.02.2014.

3.In all the above writ petitions, this Court had taken note of the various Government Orders issued from time to time regarding grant of advance increments and has finally concluded that G.O.Ms.No.97 P&AR (FR-V) Department, dated 05.07.2010, is only prospective and those Graduate Engineers who have obtained Post Graduate Qualification prior to that date namely, 05.07.2010 are entitled to grant of advance increment as per the original Government Order of the year 1972.

4.In view of the above, this writ petition is allowed. The respondents are directed to sanction advance increment to the petitioners from the date of their acquiring Post Graduate Qualification in Engineering as per G.O.Ms.No.1195, Public Works Department, dated 11.07.1992. The said exercise shall be completed within a period of eight weeks from the date of receipt of a copy of this order.

5.The writ petition is allowed with the above directions.
No costs.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

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To

1.The Secretary,
The Government of Tamilnadu,
Public Works Department,
Fort St.George,
Chennai - 9.

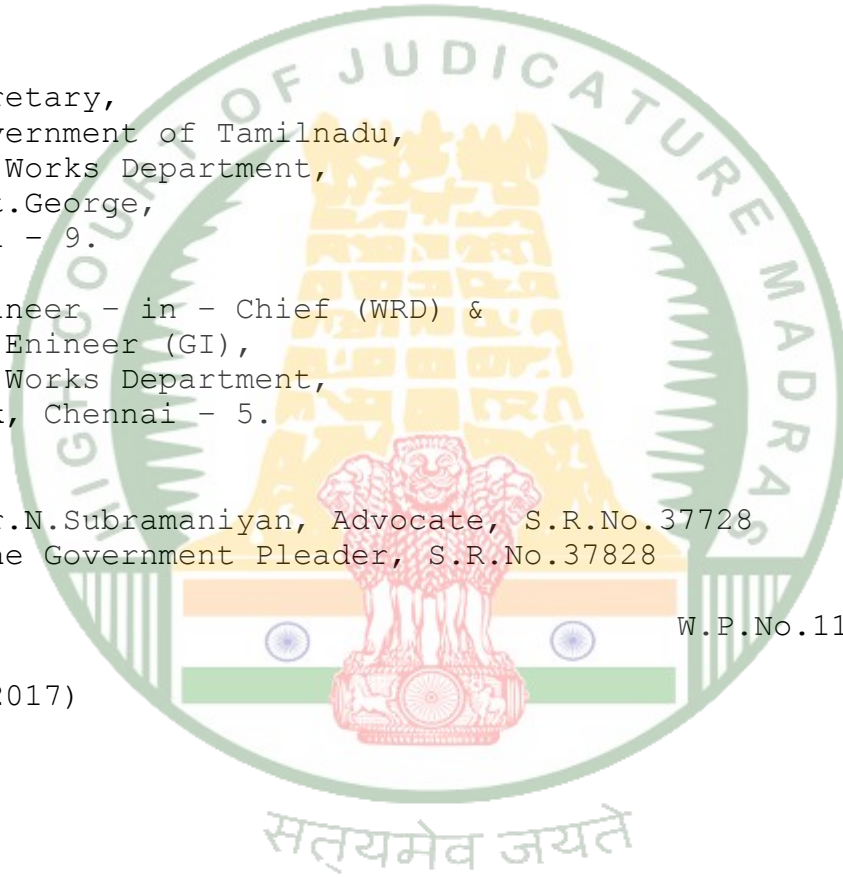
2.The Engineer - in - Chief (WRD) &
Chief Enineer (GI),
Public Works Department,
Chepauk, Chennai - 5.

+lcc to Mr.N.Subramaniyan, Advocate, S.R.No.37728

+lcc to the Government Pleader, S.R.No.37828

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SSI (CO)
RS (02/06/2017)



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