

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated :21.06.2018

Coram

The Hon'ble Mr.Justice Satrugana Pujahari

Writ Petition No.13364 of 2018

1. A. Chandrasekaran
2. A.Rajasekaran
3. N.Muthusamy
4. D.Krishnan
5. S.Dhanapal
6. I.Subbiah
7. S.Maragatham
8. S.Mubarak Sultana

...Petitioners

Vs.

1. The Government of Tamil Nadu,
rep. by its Secretary,
Rural Development and Panchayat Raj Department,
Fort St. George, Chennai-9.
2. The Director of Rural Development Department,
Panagal Building, Saidapet,
Chennai - 600 015.
3. The District Collector,
Krishnagiri District.
4. The District Collector,
Dharmapuri District.
5. The District Collector,
Erode District.

...Respondents

Writ Petition filed under Article 226 of the Constitution of India, for issuance of Writ of Mandamus directing the respondents to pay two increments for the training period in the post held by the first to sixth petitioners and the husband of the seventh and eighth writ petitioners as on 30.07.1992 continuously upto their date of retirement and consequently, to take into account the said increments in the pensionary benefits and in the monthly pension of the petitioners and pay all monetary benefits and other attendant benefits as paid to others through G.O.Ms.No.85 of Rural Development and Panchayat Raj Department, dated 11.09.2012, and G.O.Ms. No.62 of Rural Development and Panchayat Raj Department, dated 27.06.2013 in compliance of the order passed in W.P.No.33981 of 2005 and W.P.No.39046 of 2005, dated 05.07.2011.

For Petitioners : Mr.K.Raja for
M/s.N.Kolandaivelu
For Respondents : Mr.V.Kadhirvelu
Special Government Pleader

O R D E R

Heard, Mr.K.Raja, the learned counsel representing M/s.N.Kolandaivelu, the learned counsel for the petitioner and Mr.V.Kadhirvelu, the learned Special Government Pleader for the respondents.

2.The grievance of the petitioners, in this case, is that, the services rendered by them during the training period as Rural Welfare Officer Grade II, i.e., for two years has not been counted towards increment while sanctioning pension. Though, in this regard umpteen number of orders have been passed by this Court in respect of similarly situated employees and inspite of representations made by the petitioners in this regard on 22.12.2017, citing those decisions, the petitioners have not been favoured with any reply. Hence, feeling aggrieved by the inaction on the part of the respondents, the petitioners have filed this Writ Petition, contending the inaction of the respondents to be illegal and arbitrary and sought for issuance of a writ of mandamus to the respondents to act in accordance with law.

3. It appears that when this Writ Petition was entertained on the earlier occasion, i.e., 05.06.2018, Mr.V.Kadhirvelu, the learned Special Government Pleader, who accepted notice on behalf of the respondents was directed to get instructions and the matter was posted to today (21.06.2018). Accordingly, the matter is listed today. Despite such direction, no instruction is forthcoming from the respondents. However, this Court, considering the limited scope of the prayer, sought for by the petitioners herein, withing going into the merits of such representations of the petitioners, disposes of the Writ Petition with an order that the first respondent shall take an informed and considered decision on such representations of the petitioner, dated 22.12.2017, in accordance with law, within a period of six weeks from the date of receipt of a copy of this order, if there is no other legal impediments for disposal of the same. The first respondent shall also take note of the decision of this Court in W.P.Nos.33981 and 39046 of 2005, dated 05.07.2011, relied upon by the petitioners while considering the representation of the petitioners. No costs.

Sd/-

Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

sd

To

1. The Government of Tamil Nadu,
rep. by its Secretary,
Rural Development and Panchayat Raj Department,
Fort St. George, Chennai-9.
2. The Director of Rural Development Department,
Panagal Building, Saidapet,
Chennai - 600 015.
3. The District Collector,
Krishnagiri District.
4. The District Collector,
Dharmapuri District.
5. The District Collector,
Erode District.

+1cc to Mr.Kolandaivelu, Advocate, S.R.No.39228
+1cc to the Government Pleader, S.R.No.39559

Writ Petition No.13364 of 2018

BS (CO)
BM 17/07/2018



सत्यमेव जयते

WEB COPY