

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.08.2018

CORAM

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.Nos.29064 & 29065 of 2017, 30393 to 30397 of 2017,
31798 of 2017, 10 & 11 of 2018, 655 of 2018
and

WMP.Nos.31301 & 31337, 33135 to 33139, 34940 of 2017

1 P.PURUSHOTHAMAN ... PETITIONER in WP No.29064 of 2017
1 D.PACHAIAMMAL ... PETITIONER in WP No.29065 of 2017
1 T.KALAVATHY ... PETITIONER in WP No.30393 of 2017
1 A.MUNUSWAMY ... PETITIONER in WP No.30394 of 2017
1 A.RANGANATHAN ... PETITIONER in WP No.30395 of 2017
1 D.MURUGAN ... PETITIONER in WP No.30396 of 2017
1 D.ANDAL FAMILY PENSIONER ... PETITIONER in WP.30397 of 2017
1 T.G.ANNAMALAI ... PETITIONER in WP No.31798 of 2017
1 R.MANICKAM ... PETITIONER in WP No.10 of 2018
1 G.KUMANAN ... PETITIONER in WP No.11 of 2018
1 P.RAJENDRAN ... PETITIONER in WP No.655 of 2018

Versus

1 THE GOVERNMENT OF TAMIL NADU
REP. BY PRINCIPAL SECRETARY TO GOVERNMENT
FINANCE (CMPC) DEPARTMENT FORT ST. GEORGE
CHENNAI-600 009.
2 THE GOVERNMENT OF TAMIL NADU
REP. BY SECRETARY TO GOVERNMENT SCHOOL
EDUCATION DEPARTMENT FORT ST. GEORGE
CHENNAI-600 009.

3 THE DIRECTOR OF ELEMENTARY
EDUCATION COLLEGE ROAD DPI COMPOUND
CHENNAI-600 006.

4 THE DISTRICT ELEMENTARY
EDUCATIONAL OFFICER KANCHEEPURAM
KANCHEEPURAM DISTRICT.

... RESPONDENT in WP No.29064 of 2017

1 THE GOVERNMENT OF TAMIL NADU
REP. BY PRINCIPAL SECRETARY TO GOVERNMENT
FINANCE (CMPC) DEPARTMENT FORT ST. GEORGE
CHENNAI-600 009.

2 THE GOVERNMENT OF TAMIL NADU
REP. BY SECRETARY TO GOVERNMENT SCHOOL
EDUCATION DEPARTMENT FORT ST. GEORGE
CHENNAI-600 009.

3 THE DIRECTOR OF ELEMENTARY
EDUCATION COLLEGE ROAD DPI COMPOUND
CHENNAI-600 006.

4 THE DISTRICT ELEMENTARY
EDUCATIONAL OFFICER KANCHEEPURAM
KANCHEEPURAM DISTRICT.

... RESPONDENT in WP No.29065 of 2017

1 THE GOVERNMENT OF TAMIL NADU
REP BY PRINCIPAL SECRETARY TO GOVERNMENT
FINANCE (CMPC) DEPARTMENT FORT ST. GEORGE
CHENNAI-09

2 THE GOVERNMENT OF TAMIL NADU
REP BY SECRETARY TO GOVERNMENT SCHOOL
EDUCATION DEPARTEMNT FORT ST. GEORGE
CHENNAI-09

3 THE DIRECTOR OF ELEMENTARY
EDUCATION COLLEGE ROAD DPI COMPOUND
CHENNAI-06

- 4 THE DISTRICT ELEMENTARY
EDUCATIONAL OFFICER KANCHEEPURAM
KANCHEEPURAM DISTRICT
- 5 THE ASSISTANT ELEMENTARY
EDUCATIONAL OFFICER CHITTHAMUR- 603 313
KANCHEEPURAM DISTRICT

... RESPONDENT in WP No.30393 of 2017

- 1 THE GOVERNMENT OF TAMIL NADU
REP BY PRINCIPAL SECRETARY TO GOVERNMENT
FINANCE (CMPC) DEPARTMENT FORT ST. GEORGE
CHENNAI-09
- 2 THE GOVERNMENT OF TAMIL NADU
REP BY SECRETARY TO GOVERNMENT SCHOOL
EDUCATION DEPARTEMNT FORT ST. GEORGE
CHENNAI-09
- 3 THE DIRECTOR OF ELEMENTARY
EDUCATION COLLEGE ROAD DPI COMPOUND
CHENNAI-06
- 4 THE DISTRICT ELEMENTARY
EDUCATIONAL OFFICER KANCHEEPURAM
KANCHEEPURAM DISTRICT
- 5 THE ASSISTANT ELEMENTARY
EDUCATIONAL OFFICER CHITTHAMUR- 603 313
KANCHEEPURAM DISTRICT

... RESPONDENT in WP No.30394 of 2017

- 1 THE GOVERNMENT OF TAMIL NADU
REP BY PRINCIPAL SECRETARY TO GOVERNMENT
FINANCE (CMPC) DEPARTMENT FORT ST. GEORGE
CHENNAI-09
- 2 THE GOVERNMENT OF TAMIL NADU
REP BY SECRETARY TO GOVERNMENT SCHOOL
EDUCATION DEPARTEMNT FORT ST. GEORGE
CHENNAI-09
- 3 THE DIRECTOR OF ELEMENTARY
EDUCATION COLLEGE ROAD DPI COMPOUND
CHENNAI-06

- 4 THE DISTRICT ELEMENTARY
EDUCATIONAL OFFICER KANCHEEPURAM
KANCHEEPURAM DISTRICT
- 5 THE ASSISTANT ELEMENTARY
EDUCATIONAL OFFICER CHITTHAMUR- 603 313
KANCHEEPURAM DISTRICT

... RESPONDENT in WP No.30395 of 2017

- 1 THE GOVERNMENT OF TAMIL NADU
REP BY PRINCIPAL SECRETARY TO GOVERNMENT
FINANCE (CMPC) DEPARTMENT FORT ST. GEORGE
CHENNAI-09
- 2 THE GOVERNMENT OF TAMIL NADU
REP BY SECRETARY TO GOVERNMENT SCHOOL
EDUCATION DEPARTEMNT FORT ST. GEORGE
CHENNAI-09
- 3 THE DIRECTOR OF ELEMENTARY
EDUCATION COLLEGE ROAD DPI COMPOUND
CHENNAI-06
- 4 THE DISTRICT ELEMENTARY
EDUCATIONAL OFFICER KANCHEEPURAM
KANCHEEPURAM DISTRICT
- 5 THE ASSISTANT ELEMENTARY
EDUCATIONAL OFFICER CHITTHAMUR- 603 313
KANCHEEPURAM DISTRICT

... RESPONDENT in WP No.30396 of 2017

- 1 THE GOVERNMENT OF TAMIL NADU
REP BY PRINCIPAL SECRETARY TO GOVERNMENT
FINANCE (CMPC) DEPARTMENT FORT ST. GEORGE
CHENNAI-09
- 2 THE GOVERNMENT OF TAMIL NADU
REP BY SECRETARY TO GOVERNMENT SCHOOL
EDUCATION DEPARTEMNT FORT ST. GEORGE
CHENNAI-09
- 3 THE DIRECTOR OF ELEMENTARY
EDUCATION COLLEGE ROAD DPI COMPOUND
CHENNAI-06

4 THE DISTRICT ELEMENTARY
EDUCATIONAL OFFICER KANCHEEPURAM
KANCHEEPURAM DISTRICT

5 THE ASSISTANT ELEMENTARY
EDUCATIONAL OFFICER CHITTHAMUR- 603 313
KANCHEEPURAM DISTRICT

... RESPONDENT in WP No.30397 of 2017

1 THE GOVERNMENT OF TAMILNADU
REP. BY PRINCIPAL SECRETARY TO GOVERNMENT
FINANCE (CMPC) DEPARTMENT FORT ST. GEORGE
CHENNAI-9

2 THE GOVERNMENT OF TAMILNADU
REP. BY SECRETARY TO GOVERNMENT SCHOOL
EDUCATION DEPARTMENT FORT ST. GEORGE
CHENNAI 600 009

3 THE DIRECTOR OF SCHOOL
EDUCATION HIGHER SECONDARY COLLEGE ROAD
DPI COMPOUND CHENNAI 600 006

4 THE CHIEF EDUCATIONAL OFFICER
KANCHEEPURAM KANCHEEPURAM DISTRICT

... RESPONDENT in WP No.31798 of 2017

1 THE PRINCIPAL SECRETARY TO
GOVERNMENT SCHOOL EDUCATION DEPARTMENT
FORT ST. GEORGE CHENNAI 9.

2 THE DIRECTOR OF ELEMENTARY
EDUCATION D.P.I. COMPLEX COLLEGE ROAD
CHENNAI 6.

3 THE DISTRICT ELEMENTARY
EDUCATION OFFICER THIRUVARUR THIRUVARUR
DISTRICT.

4 THE ADDITIONAL ASSISTANT
ELEMENTARY EDUCATION OFFICER MANNARGUDI
THIRUVARUR DISTRICT.

... RESPONDENT in WP No.10 of 2018

- 1 THE PRINCIPAL SECRETARY TO
GOVERNMENT SCHOOL EDUCATION DEPARTMENT
FORT ST. GEORGE CHENNAI 9.
- 2 THE DIRECTOR OF SCHOOL
EDUCATION D.P.I. COMPLEX COLLEGE ROAD
CHENNAI 6.
- 3 THE CHIEF EDUCATIONAL OFFICER
THIRUVARUR THIRUVARUR DISTRICT.

... RESPONDENT in WP No.11 of 2018

- 1 THE STATE OF TAMIL NADU
REP BY ITS PRINCIPAL SECRETARY TO GOVERNMENT
HOME (POLICE) DEPARTMENT FORT ST. GEORGE
CHENNAI-09
- 2 THE DIRECTOR GENERAL OF POLICE
(LAW & ORDER) MYLAPORE CHENNAI-04
- 3 THE DIRECTOR GENERAL OF POLICE
(CB CID) OLD COMMISSIONER OF POLICE OFFICE
EGMORE CHENNAI
- 4 THE INSPECTOR GENERAL OF
POLICE (CB CID) OLD COMMISSIONER OF POLICE
OFFICE EGMORE CHENNAI

... RESPONDENT in WP No.655 of 2018

Prayers in W.P.Nos.29064 & 29065 of 2017, 30393 to 30397 of
2017, 31798 of 2017, 10 & 11 of 2018, 655 of 2018:-

These Petitions filed under Article 226 of the constitution
of India, praying for the issuance of Writ of Certiorarified
Mandamus

WP No.29064 of 2017:-

Calling for the records on the file of the third respondent
relating to the proceedings Na.Ka. No.14178/D3/2015 dated .
07.2015 and quash the same and consequently direct the
respondents to grant annual increment notionally to the
petitioner which fell due on 01.07.2008 i.e. the next date of
superannuation on 30.06.2008 for the purpose of pensionary
benefits and accordingly revise the pensionary benefits of the
petitioner

WP No.29065 of 2017:-

Calling for the records on the file of the third respondent relating to the proceedings Na.Ka. No.14178/D3/2015 dated . 07.2015 and quash the same and consequently direct the respondents to grant annual increment notionally to the petitioner which fell due on 01.10.2010 i.e. the next date of superannuation on 30.09.2010 for the purpose of pensionary benefits and accordingly revise the pensionary benefits of the petitioner

WP No.30393 of 2017:-

calling for the records on the file of the 1st respondent relating to para 3 in G.O.Ms. NO.311 Finance (CMPC) Department dated 31.12.2014 and quash the same and consequently direct the respondents to grant annual increment notionally to the petitioner which fell due on 01.04.2009 i.e., the next date of superannuation on 31.03.2009 for the purpose of pensionary benefits and accordingly revise the pensionary benefits of the petitioner

WP No.30394 of 2017:-

calling for the records on the file of the 1st respondent relating to para 3 in G.O.Ms. NO.311 Finance (CMPC) Department dated 31.12.2014 and quash the same and consequently direct the respondents to grant annual increment notionally to the petitioner which fell due on 01.07.2007 i.e., the next date of superannuation on 30.06.2007 for the purpose of pensionary benefits and accordingly revise the pensionary benefits of the petitioner

WP No.30395 of 2017:-

calling for the records on the file of the 1st respondent relating to para 3 in G.O.Ms. NO.311 Finance (CMPC) Department dated 31.12.2014 and quash the same and consequently direct the respondents to grant annual increment notionally to the petitioner which fell due on 01.10.2012 i.e., the next date of superannuation on 30.09.2012 for the purpose of pensionary benefits and accordingly revise the pensionary benefits of the petitioner

WP No.30396 of 2017:-

calling for the records on the file of the 1st respondent relating to para 3 in G.O.Ms. NO.311 Finance (CMPC) Department dated 31.12.2014 and quash the same and consequently direct the respondents to grant annual increment notionally to the petitioner which fell due on 01.07.2008 i.e., the next date of superannuation on 30.06.2008 for the purpose of pensionary benefits and accordingly revise the pensionary benefits of the petitioner

WP No.30397 of 2017:-

calling for the records on the file of the 1st respondent relating to para 3 in G.O.Ms. NO.311 Finance (CMPC) Department dated 31.12.2014 and quash the same and consequently direct the respondents to grant annual increment notionally to the petitioners husband which fell due on 01.07.2008 i.e., the next date of superannuation on 30.06.2008 for the purpose of pensionary benefits and accordingly revise the pensionary benefits of the petitioner

WP No.31798 of 2017:-

calling for the records on the file of the 1st respondent relating to para 3 in G.O.Ms. No.311 Finance (CMPC) department dated 31.12.2014 and quash the same and consequently direct the respondents to grant annual increment notionally to the petitioner which fell due on 1.10.2004 i.e., the next date of superannuation on 30.9.2004 for the purpose of pensionary benefits w.e.f. 1.10.2004 and accordingly revise the pensionary benefits of the petitioner

WP No.10 of 2018:-

to direct the respondents to sanction annual increment to the petitioner in respect of the service rendered by him from 1.4.2013 to 31.3.2014 and consequently direct the respondent to revise the pension and other pensionary benefits and thereby pay the arrears

WP No.11 of 2018:-

to direct the respondents to sanction annual increment to the petitioner in respect of the service rendered by him from 1.10.2013 to 30.9.2014 and consequently direct the respondent to revise the pension and other pensionary benefits and thereby pay the arrears

WP No.655 of 2018:-

to direct the Respondents to sanction annual increment to the petitioner in respect of the service rendered by him from 01.07.2013 to 30.06.2014 and consequently direct the respondent to revise the pension and other pensionary benefits of the petitioner and thereby pay the arrears

For Petitioners
in WP.Nos..29064 & 29065 of 2017,
30393 to 30397 of 2017, 31798 of 2017
: Mr.K.R.Gunashekar

For Petitioners
in 10 & 11 of 2018, 655 of 2018
: Mr.R.Prem Narayan

For Respondents in all WP.s
: Mr.K.Karthikeyan
Government Advocate

C O M M O N O R D E R

The grievances of the writ petitioners are that the benefits granted by the Government in G.O.Ms.No.311 Finance (CMPC) Department dated 31.12.2014, have not been extended to the writ petitioners. This Court already passed an order, considering the relief sought for by the similarly placed persons and the Government also implemented the judgment of this Court and issued G.O.Ms.No.140, Finance Department (Pay Cell Department) dated 25.04.2018.

2. Thus, it is made clear that the petitioners in these writ petitions are also entitled to get the similar benefits, which is extended to all other similarly placed persons in G.O.Ms.No.140 dated 25.04.2018. In the event of not extending the benefits to the writ petitioners, the same shall be considered and implemented in respect of all the similarly placed persons without any further delay.

3. The writ petitions stand disposed of with the above observations. However there shall be no order as to costs. Consequently connected miscellaneous petitions are closed.

Sd/-
Assistant Registrar(CS IX)

//True Copy//

Sub Assistant Registrar

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To

1. The Principal Secretary to Government,
Finance (CMPC) Department,
Fort St.George, Chennai-600 009.
 2. The Principal Secretary to Government,
School Education Department,
Fort.St.George, Chennai-600 009.
 3. The Director of Elementary Education,
College Road, DPI Compound, Chennai-600 006.
 4. The District Elementary Educational Officer,
Kancheepuram, Kancheepuram District.
 5. The Assistant Elementary Educational Officer,
Chitthamur-603 313, Kancheepuram District.
 6. The Chief Educational Officer, Kancheepuram.
 7. The District Elementary Education Officer,
Thiruvarur, Thiruvarur District.
 8. The Additional Assistant Elementary Educational Officer,
Mannargudi, Thiruvarur.
 9. The chief Educational Officer, Thiruvarur.
 10. The Principal Secretary to Government,
Home(Police)Department, Fort St.George, Chennai.
 11. The Director General of Police, (L & O)
Mylapore, Chennai.
 12. The Director General of Police, (CBCID),
Old Commissioner of Police, Egmore, Chennai.
 13. The Inspector General of Police (CBCID),
Old Commissioner of Police Officer, Egmore, Chennai.
- +3ccs to Mr.K.R.Gunashekar, Advocate, S.R.No.59640
+5ccs to the Government Pleader, S.R.No.60151 to 60155

W.P.Nos.29064 & 29065 of 2017,
30393 to 30397 of 2017, 31798 of 2017,
10 & 11 of 2018, 655 of 2018

SJ(Co)
CS/01/10/2018