

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.08.2018

CORAM:
THE HON'BLE MR.JUSTICE S.VAIDYANATHAN

W.P.No.15729 of 2008

R.Narayanasami

... Petitioner

vs.

1. The Government of Tamil Nadu,
represented by the Secretary to the Government,
Adhi Dravidar & Tribal Welfare Department,
Fort St. George, Chennai - 9.
 2. The Director of Adi Dravidar and Tribal Welfare,
Chepauk, Chennai - 5.
 3. The District Adi Dravidar Welfare Officer,
Cuddalore District, Cuddalore.
 4. The Accountant General,
Teynampet, Chennai - 18.
 5. The Special Tahsildar,
Adi Dravidar Welfare,
Viruthachalam,
Cuddalore District.
- ... Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a writ of certiorarified mandamus, calling for the records of the 3rd and 4th Respondents issued in Na.Ka.W.9/36174/2001, dated 28.06.2001 by the 3rd Respondent and in No.AG (A & E) PEN/PO9/4/N8-127/RTD/2002-2003/3036, 3037, 3038, dated 01.06.2002 and in No.AG(A & E)/PEN/PO9/4N8-127/RTD/2002-2003/3036, 3037, 3038, dated 01.06.2002 by the 4th Respondent and quash the same and issue a consequential direction to the Respondents to restore the pay of the Petitioner at Rs.2,000/- in the scale of pay of Rs.2000-3200 with effect from 08.09.1990 and fix the Petitioner's last drawn pay accordingly and then fix pension and release the amount of Rs.1,91,745/- to the Petitioner with interest @ 18% per annum.

For Petitioner : Mr.R.Saseetharan
For Respondents 1 to 3 & 5 : Mr.J.Purushothaman,
Government Advocate

For 4th Respondent : Mr.V.Murali

O R D E R

Petitioner has come up with the present Writ Petition seeking to quash the proceedings of the 3rd Respondent, dated 28.06.2001 and the proceedings of the 4th Respondent, dated 01.06.2002 and for a consequential direction to the Respondents to restore his pay at Rs.2,000/- in the scale of pay of Rs.2000-3200 with effect from 08.09.1990 and fix his last drawn pay accordingly and then fix pension and release the amount of Rs.1,91,745/- to him with interest @ 18% per annum.

2. When the matter is taken up for hearing, learned counsel appearing for the 4th Respondent, produced a copy of the counter affidavit filed by the 4th Respondent, wherein, in paragraph 10, it is stated as follows:

"10. It is however submitted that though the position stood so, Government to rectify the various anomalous situation, issued various orders. One such being G.O.Ms.No.207, School Education (G2) Department, dated 30.09.1998. In terms of this G.O., the Petitioner's pay was fixed in the scale of pay of Rs.2000-3200 (revised as 8000-13500) with effect from 22.01.1991 (i.e.) his date of assumption of charges as Primary School Headmaster and his pensionary benefits were revised taking last pay drawn as Rs.9,650/- and necessary revised authorizations have also been issued in this respondent's Office No.P09/1/REV/2010-2011/10902643/PPO, CVP, GPO, dated 20.10.2010. Thus, the claim of the Petitioner has fully been met with."

3. Since the relief sought in this Writ Petition has been granted, which is evident from paragraph 10 of the counter affidavit, no further adjudication is required in this Writ Petition.

Accordingly, the Writ Petition is closed. No costs. Consequently, connected M.P.No.2 of 2008 is closed.

Sd/-

Assistant Registrar(CS)

//True Copy//

Sub Assistant Registrar

To:

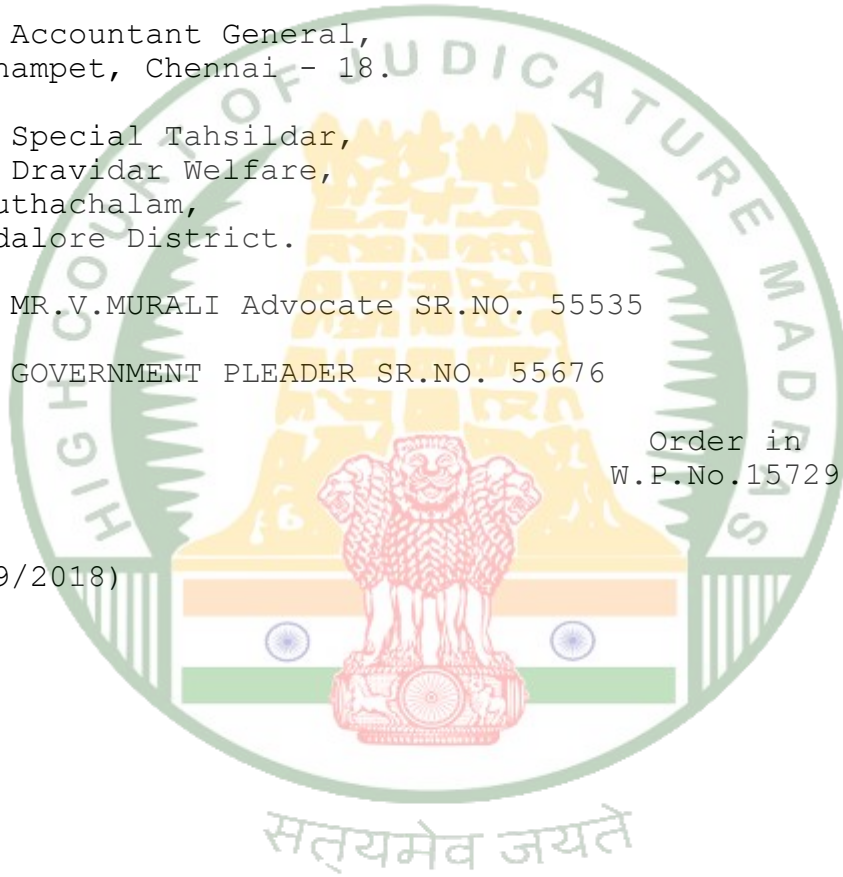
1. The Secretary to the Government,
Government of Tamil Nadu,
Adhi Dravidar & Tribal Welfare Department,
Fort St. George, Chennai - 9.
2. The Director of Adi Dravidar and Tribal Welfare,
Chepauk, Chennai - 5.
3. The District Adi Dravidar Welfare Officer,
Cuddalore District, Cuddalore.
4. The Accountant General,
Teynampet, Chennai - 18.
5. The Special Tahsildar,
Adi Dravidar Welfare,
Viruthachalam,
Cuddalore District.

+1 cc to MR.V.MURALI Advocate SR.NO. 55535

+1 CC TO GOVERNMENT PLEADER SR.NO. 55676

Order in
W.P.No.15729 of 2008

SS(CO)
ASK(03/09/2018)



WEB COPY