



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 02.03.2018

WEB COPY

CORAM:

THE HONOURABLE **MR. JUSTICE G.R. SWAMINATHAN**

W.P.(MD)No.1723 of 2018

R.K.Shanmugasundaram

... Petitioner

Vs.

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

2. The Director of School Education,
DPI Complex, Nungambakkam,
Chennai - 600 008.

3. The Assistant Elementary Educational Officer,
Ramanathapuram District,
Ramanathapuram.

... Respondents

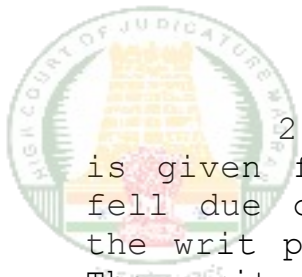
PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus directing the first respondent i.e. the Secretary to Government, School Education Department, Chennai to sanction the petitioners last increment which fell due on 01.04.2004 as per the specific provision contained in the FR 26 (a) Appendix (IX) and as per the positive orders passed in number of writ petitions and to send revised pension proposals to the Accountant General Chennai

For Petitioner : Mr.S.Visvalingam

For Respondents : Mr.J.Gunaseelanmuthiah
Addi. Govt. Pleader

O R D E R

The petitioner retired as Headmaster of Panchayat Union Middle School, Thiruppulani. The date of retirement was 31.03.2004. His last increment fell due on 01.04.2004. Since the last due fell after the date of retirement, the authority did not sanction the same. The petitioner therefore seeks direction for sanction of the said last increment.



2.The case of the writ petitioner is that the increment is given for the service rendered already. The increment which fell due on 01.04.2004, was for the service already rendered by the writ petitioner. The issue on hand is no longer *res integra*. The writ petitioner has enclosed a copy of the order dated 15.07.2016 made in W.P(MD)No.10630 of 2016. The case on hand is absolutely similar.

3.Therefore, the first respondent is directed to sanction the petitioner's last increment which fell due on 01.04.2004. Revised pension proposals will have to be sent to the Accountant General, Chennai. This revised pension shall be submitted within a period of eight weeks from the date of receipt of a copy of this order. It is needless to say that thereafter the petitioner would be paid revised pension together with arrears without any delay.

4.This writ petition is allowed accordingly. No costs.

Sd/-

Assistant Registrar(CS-II)

/True Copy/

Sub Assistant Registrar

To

1. The Secretary to Government,
School Education Department,
Secretariat,
Chennai - 600 009.
2. The Director of School Education,
DPI Complex, Nungambakkam,
Chennai - 600 008.
3. The Assistant Elementary Educational Officer,
Ramanathapuram District,
Ramanathapuram.

+1cc to The Spl. Government Pleader Sr.No.53305

+1cc to Mr.S.Visvalingam, Advocate Sr.No.52461

SKN

VB/RSK/SAR1/11.07.2018/2P/6C

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