



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 20.03.2018

CORAM:

WEB COPY

THE HONOURABLE MR. JUSTICE G.R. SWAMINATHAN

W.P. (MD) Nos.5845 to 5847 of 2018

R.Kandasamy	.. Petitioner in W.P(MD)No.5845/18
P.Shanmuga Sundaram	.. Petitioner in W.P(MD)No.5846/18
Karunanithi	.. Petitioner in W.P(MD)No.5847/18

Vs.

1. The Chief Engineer,
Personal,
TANGEDCO,
No.800, Anna Salai,
Chennai -2.

2. The Superintending Engineer,
TANGEDCO,
Thoothukudi Distribution Circle,
Thoothukudi.

.. Respondent in all petitions

PRAYER in W.P(MD)No.5845 of 2018 : Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus to call for the records of the 2nd respondent made in Letter No.01331/38/NiP/2A.4/Ko.Order/18 dated 16.2.2018 and quash the same and consequently, direct the respondents 1 and 2 to sanction one increment to the petitioner for the service rendered by him for the period from 01.01.2006 to 31.12.2006 along with revision of pension based on such increment sanctioned.

PRAYER in W.P(MD)No.5846 of 2018 : Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus to call for the records of the 2nd respondent made in Letter No.01339/36/NiP/2A.4/Ko.Order/18 dated 16.2.2018 and quash the same and consequently, direct the respondents 1 and 2 to sanction one increment to the petitioner for the service rendered by him for the period from 01.10.2008 to 30.09.2009 along with revision of pension based on such increment sanctioned.

PRAYER in W.P(MD)No.5847 of 2018 : Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus to call for the records of the 2nd respondent made in Letter No.01332/36/NiP/2A.4/Ko.Order/18 dated 16.2.2018 and quash the same



and consequently, direct the respondents 1 and 2 to sanction one increment to the petitioner for the service rendered by him for the period from 01.10.2008 to 30.09.2009 along with revision of pension based on such increment sanctioned.

In all wps:

For petitioner : Mr.K.Murali, for Mr.K.Govindarajan
For respondents : Mrs.Srimathy for
Mr.SMS.Johnny Basha

COMMON ORDER

The petitioners in all these writ petitions were employees of TANGEDCO. The annual increment payable to them fell due one day after they retired from service. This Court has in a number of decisions held that the increment has to be sanctioned for the past service rendered by them. Since in this case it was not taken into account, these writ petitions came to be filed.

2. Therefore, the first respondent is directed to sanction one increment for the service rendered by the petitioner/R.Kandasamy for the period from 01.01.2006 to 31.12.2006 and for the service rendered by the petitioners/P.Shanmuga Sundaram and Karunanith for the period from 01.10.2008 to 30.09.2009 within a period of twelve weeks from the date of receipt of a copy of this order and also disburse the arrears immediately thereafter. Since the last increment has been directed to be sanctioned, the petitioners' pension will also have to be correspondingly revised. The entire exercise of sanctioning of last increment and revision of the petitioners' pension shall be done within a period of twelve weeks from the date of receipt of a copy of this order and arrears will have to be disbursed forthwith.

3. These writ petitions stand allowed accordingly. No costs.

Sd/-

Assistant Registrar (CS-II)

/True Copy/

Sub Assistant Registrar

+ 3 CC TO Mr.K.GOVINDARAJAN, ADVOCATE IN SR Nos. 56814 to 56816
+ 1 CC TO SPECIAL GOVERNMENT PLEADER IN SR No. 56942

SKN

TE/SV-MMS/SAR-2 : 21/06/2018 : 2P/5C