



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 22.03.2018

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P. (MD) No.6094 of 2018

R.Srinivasagam

... Petitioner

Vs.

1.The Chairman,  
TANGEDCO,  
144, Anna Salai,  
Chennai-600 002.

2.The Superintendent Engineer,  
TANGEDCO,  
Ramamoorthy Road,  
Virudhunagar.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus, to call for the records of the second respondent i.e., the Superintending Engineer, Virudhunagar relating to his impugned order in க.எண் :1853/நி4/உ2/கோ.பணப்பயன்கள்/2018, நாள் : 06.03.2018 and quash the same and consequently direct the respondents to sanction the last increment which fell due on 01.04.2009 to the petitioner and to send revised pension proposals within a specified time frame that may be fixed by this Court.

For Petitioner : Mr.S.Visvalingam

For Respondents : Mr.G.Kasinathadurai

Standing Counsel for TANGEDCO

ORDER

Mr.Kasinathadurai, learned standing counsel takes notice for the respondents. By consent of both parties, the writ petition is taken up for disposal at the admission stage itself.

2.The petitioner retired as Assessment Officer in the office of the Executive Engineer, TANGEDCO, Rajapalayam on 31.03.2009. The case of the petitioner is that as the next increment was due on 01.04.2009, he should also be sanctioned with the increment, as per the relevant rules. The petitioner has submitted a representation in this regard on 03.02.2018. However, the request of the petitioner was denied stating that he was retired from service prior to the date of actual increment falling due. Challenging the said order, the petitioner has approached this Court.



3.Mr.S.Visvalingam, learned counsel appearing for the petitioner submits that this Court has in a number of decisions held that the increment has to be sanctioned as it is for the past service rendered.

4.Therefore, the order impugned in this writ petition is quashed. The first respondent is directed to sanction the petitioner's last increment which fell due on 01.04.2009 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 petitioner's pension will also have to be correspondingly revised. The entire exercise of sanctioning of last increment and revision of the petitioner's pension shall be done within a period of twelve weeks from the date of receipt of copy of this order and arrears will have to be disbursed forthwith.

5.The Writ Petition is allowed accordingly. No costs.

Sd/-  
Assistant Registrar(CS-III)

/True Copy/

Sub Assistant Registrar

To

+1cc to M/S.S.Visvalingam, Advocate SR.No. 56980  
+1cc to M/S.G.Kasinathadurai, Advocate SR.No. 56994

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