

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.09.2019

CORAM

THE HON'BLE MR.JUSTICE M.DHANDAPANI

W.P.No.27672 of 2019
and
W.M.P.No.27193 of 2019

1.K.Muthukumarasamy
2.S.Vasanthi
3.C.Jayavani
4.A.Parijatham

...Petitioners

Vs.

1.The Government of Tamil Nadu
Represented by its Secretary
Rural Development and Panchayat Raj Department
Fort St. George
Chennai 600 009

2.The Director of Rural Development Department
Panagal Building Saidapet
Chennai 600 015

3.The District Collector
Tiruvannamalai District

4.The District Collector
Cuddalore District

... Respondents

Prayer:- Writ petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, to direct the respondents herein to pay two increments for the training period in the post held by the 1st writ petitioner and the 2nd to 4th writ petitioners' husband as on 30.07.1992 continuously upto their date of retirement and consequently take into account the said increments in the pensionary benefits and in the monthly pension of the petitioners and pay all monetary benefits and other attendant benefits as paid to others through G.O.Ms.No.85 Rural Development and Panchayat Raj Department dated 11.09.2012 and G.O.Ms.62 Rural Development and Panchayat Raj Department dated 27.06.2013 in compliance of the order passed in W.P.o.33981/2005 and 39046/2005 dated 05.07.2011.

For Petitioners : Mr.N.Kolandaivel

For Respondents : Mrs.A.Sri Jayanthi, AGP

O R D E R

Mrs.A.Sri Jayanthi, learned Additional Government Pleader accepts notice on behalf of the respondents. By consent of both sides, the writ petition is taken up for final disposal at the admission stage itself.

2.The learned Counsel appearing for the petitioners would submit that the 1st petitioner and the 2nd to 4th writ petitioners' husband were initially selected as Rural Welfare Officer, Grade II through TNPSC and on the same day itself all of them were sent for training for a period of two years. After completion of training, they have joined in the regular post as RWO Grade II. Thereafter, they were given further promotion as RWO Grade I based on their seniority. Some of them were given further promotion as Extension Officer, Deputy Block Development Officer and Block Development Officer. They have all attained superannuation. The husbands of the 2nd to 4th writ petitioners already passed away.

3.The learned counsel for the petitioners would further submit that relying on the G.O.Ms.No.85 Rural Development and Panchayat Raj Department dated 11.09.2012 and G.O.Ms.No.62 Rural Development and Panchayat Raj Department dated 27.06.2013, the other employees approached the respondents to extend the benefits of the aforesaid Government orders and all the employees who approached the Court were given two increments in compliance of the order passed in W.P.No.33981/2005 and 39046/2005 dated 05.07.2011. Since the writ petitioners have not approached the Court to avail the same benefits, the respondents are insisting the petitioners to get similar order from the Court. Hence, the petitioners preferred detailed representation to the respondents on 22.12.2017 and 12.02.2019 and the same is pending without any effective action.

4.The learned counsel for the petitioners would further submit that it would suffice if a direction is issued to the respondents to consider the representations made by the petitioners on 22.12.2017 and 12.02.2019 within a reasonable time fixed by this Court.

5.The learned Additional Government Pleader would accede to the submission made by the learned counsel for the petitioners and submitted that the same will be considered on merits and in accordance with law.

6.Thus, without going into the merits of the case, this Court is inclined to direct the respondents to consider the representation made by the petitioners on 22.12.2017 and 12.02.2019 and pass orders on merits and in accordance with law within a period of twelve weeks from the date of receipt of copy of this order.

7.With the above directions, the writ petition stands disposed of. No costs. Consequently, connected miscellaneous petition is closed.

kas

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

To

1.The Secretary to Government of Tamil Nadu
Rural Development and Panchayat Raj Department
Fort St. George
Chennai 600 009

2.The Director of Rural Development Department
Panagal Building Saidapet
Chennai 600 015

3.The District Collector
Tiruvannamalai District

4.The District Collector
Cuddalore District

W.P.No.27672 of 2019
and

W.M.P.No.27193 of 2019

Kak(30/10/2019)

WEB COPY