

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 26.02.2019

CORAM

THE HONOURABLE Mrs. JUSTICE PUSHPA SATHYANARAYANA

W.P.No.29261 of 2016

A.Poomani Indra Bai

(Retired Extension Officer,
Social Welfare Department,
Panchayat Union, Tenkasi)

.. Petitioner

Vs.

1.The Government of Tamil Nadu,
Rep. by its Secretary,
Department of Social Welfare,
Secretariat,
Chennai - 600 009.

2.The Director,
Department of Social Welfare,
Chepauk,
Chennai - 600 005.

.. Respondents

PRAYER : Writ Petitions filed Under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the respondents to issue appropriate orders within the time stipulated by this Court, thereby taking petitioner's date of promotion with effect from 28.11.2006 as Extension Officer (W) and grant payment of differential salary benefits between the period from 28.11.2006 to 19.08.2011, differential amount of gratuity, and the proportionate enhanced pension amount.

For Petitioner : Mr.R.Prabhakaran

For Respondents : Mr.N.Inbanathan
Additional Government Pleader

O R D E R

This Writ Petition is filed by the petitioner seeking a direction to the respondents to issue appropriate orders within the time stipulated by this Court, thereby taking petitioner's

date of promotion with effect from 28.11.2006 as Extension Officer (W) and grant payment of differential salary benefits between the period from 28.11.2006 to 19.08.2011, differential amount of gratuity, and the proportionate enhanced pension amount.

2. The petitioner claims that she joined as Rural Welfare Officer (W) on 27.09.1993. She was promoted as Extension Officer with effect from 19.08.2011 and retired from service on 31.05.2015. The grievance of the petitioner is that the respondents had given promotion to the person, who is junior to the petitioner on 28.11.2006. Hence, she made representations on 18.09.2014, 10.08.2015 and on 15.06.2016 to the second respondent seeking appropriate orders to take date of promotion with effect from 28.11.2006 as Extension Officer and order for payment of differential salary benefits between the period from 28.11.2006 to 19.08.2011, differential amount of nearly Rs.2 lakhs in the gratuity and enhanced pension amount. But so far, no orders has been passed by the second respondent. Hence, this writ petition.

3. Heard, the learned counsel appearing on both sides.

4. Considering the facts and circumstances of the case and the submissions made on either side, this Court, without expressing any opinion on the merits of the representation, directs the respondents to consider the petitioner's representation dated 15.06.2016 and pass appropriate orders, on merits and in accordance with law, in the light of the order passed in W.P(MD).No.9876 of 2018, which will be produced by the petitioner, after issuing notice to the petitioner and the persons interested in this regard and also affording them an opportunity of personal hearing, within a period of six weeks from the date of receipt of a copy of this order.

5. With the above directions, this writ petition is disposed of. No costs.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

rsi

To

1.The Secretary,
Department of Social Welfare,
Secretariat,
Chennai - 600 009.

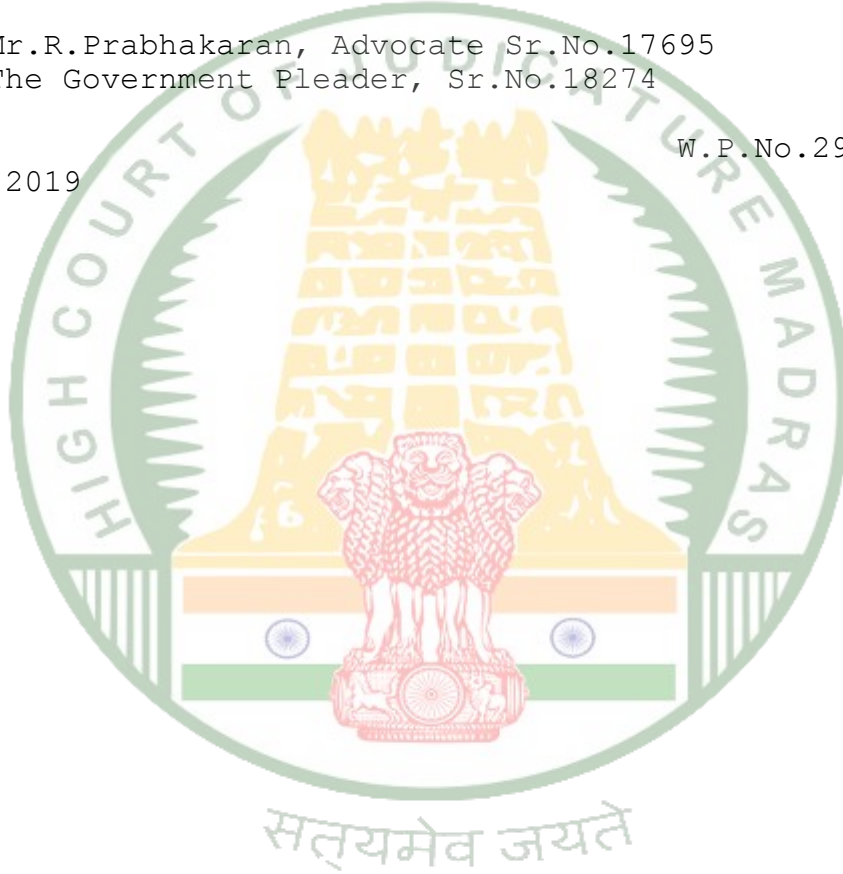
2.The Director,
Department of Social Welfare,
Chepauk,
Chennai - 600 005.

+1 cc to Mr.R.Prabhakaran, Advocate Sr.No.17695

+1 cc to The Government Pleader, Sr.No.18274

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CSL/26.03.2019



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