

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :21.02.2019

CORAM

THE HON'BLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No.14995 of 2018

A.Dakshinamoorthy

.. Petitioner

..vs..

1.The State of Tamil Nadu,
Rep.by the Secretary,
Education Department,
Fort St.George, Chennai - 9.

2.The Director,
Department of Aadi Dravidar and Tribunal Welfare,
Chepauk, Chennai - 5.

3.The Prinicpal Accountant General (A & E),
O/o.The Accountant General,
361 Anna Salai, Chennai - 18. ..Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, to consider the representation dated 27.03.2018 seeking revised pensionary benefits and re-fixation in pension as had been granted to other similarly placed persons on merits and within a time to be stipulated by this Court.

For Petitioner : Mr.L.Chandrakumar

For Respondents : Mr.A.Raja Perumal

Additional Government Pleader for R1

Mr.R.Selvam

Government Advocate for R2

Mr.V.Vijay Shankar for R3

O R D E R

The grievances of the writ petitioner is that the pension has not been re-fixed in accordance with the Government Orders in force. The petitioner is eligible for revision of pension as per the Government Orders as stated in his representation.

2. However, the learned counsel appearing on behalf of the Accountant General informed that fixation of pay and revision of pay is the prerogative of the Competent Authorities and the Accountant General has no role in respect of revision of pension.

3. Under these circumstances, without going into the merits of the matter, the writ petitioner is directed to submit a fresh representation to the first respondent within a period of 4 weeks from the date of receipt of a copy of this order. In the event of receiving any such representation from the writ petitioner, the first respondent is directed to consider the same and pass order of merits and in accordance with law as expeditiously as possible.

4. With these directions, the writ petition stands disposed of. However there shall be no order as to costs.

Sd/--

Assistant Registrar (CS)

//True Copy//

Sub Assistant Registrar

Pns

To

1.The Secretary,
State of Tamil Nadu,
Education Department,
Fort St.George, Chennai - 9.

2.The Director,
Department of Aadi Dravidar and Tribunal Welfare,
Chepauk, Chennai -5.

3.The Prinicpal Accountant General (A & E),
O/o.The Accountant General,
361 Anna Salai, Chennai - 18.

+1cc to Mr.L.Chandrakumar , Advocate SR.No. 16778
+1cc to Mr.V.Vijay Shankar , Advocate SR.No. 16790
+1 CC TO GOVERNMENT PLEADER SR.NO. 16623

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A.SK(19/03/2019)