

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.09.2019

CORAM

THE HON'BLE MR.JUSTICE M.DHANDAPANI

W.P.No.27332 of 2019

and

W.M.P.No.26762 of 2019

1.N.Palanaiappan

2.P.Swaminathan

... Petitioners

Vs.

1. The Government of Tamil Nadu,
Represented by its Secretary,
Rural Development and Panchayat Raj Department,
Fort St.George, Chennai -9.

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

3. The District Collector,
Erode District.

4. The District Collector,
Tiruppur District.

... Respondents

Prayer:- Writ petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondents herein to pay two increments for the training period in the post held by the writ petitioners as on 30.07.92, continuously upto their date of retirement and consequently take into account the said increments in the pensionary benefits 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.No.62, Rural Development and Panchayat Raj Department, dated 27.06.2013 in compliance of the order passed in W.P.No.33981/2005 and 39046/2005, dated 05.07.2011.

For Petitioner : Mr.N.Kolandaivelu

For Respondents: Mrs.M.Lalitha

Government Advocate

O R D E R

By consent, the writ petition is taken up for final disposal at the admission stage itself. Mrs.M.Lalitha, learned Government Advocate, accepts notice on behalf of the respondents.

2.The petitioners were initially appointed as Rural Welfare Officer Grade-II through TNPSC and underwent training for a period of two years. On completion of training, both the petitioners were promoted as RWO Grade-I, Extension Officer, Deputy Block Development Officer and Block Development Officer respectively and thereafter the 2nd petitioner was further promoted as Divisional Development Officer based on the seniority. Both the petitioners got retired after attaining the age of superannuation and have been receiving pension. While so, the 1st respondent has issued several G.Os with respect to the payment of increments to the Government Staffs during the period of training. Later, the same was sanctioned to the similarly placed persons like petitioners. Therefore, the petitioners made representation to the respondents on 22.07.2019, seeking to pay two increments for the training period in the post held by the petitioners as on 30.07.1992, continuously up to their date of retirement and consequently take into account the said increments in the pensionary benefits 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.No.62 Rural Development and Panchayat Raj Department dated 27.06.2013 in compliance of the orders passed in W.P.No.33981 of 2005 and 390 of 2005 dated 05.07.2011. Since no orders have been passed by the respondents, the petitioners have filed the present writ petition.

3.Heard the submissions made by Mr.N.Kolandaivelu, learned counsel appearing for the petitioner and Mrs.M.Laitha, learned Government Advocate, appearing for the respondents.

4.The learned counsel for the petitioners would submit that as per the direction of this Court dated 05.07.2011, similarly placed persons have been granted two increments and other consequential benefits. He would further submit that it would suffice if a direction is issued to the respondents to consider the representation of the petitioners dated 22.07.2019 and pass orders.

5.Thus, without going into the merits of the case, the respondents 1 and 2 are directed to consider the representation of the petitioners dated 22.07.2019 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.

6. With the above direction, the writ petition stands disposed of. No costs. Connected miscellaneous petition is also closed.

s/d-
Assistant Registrar (CS VIII)

True Copy

Sub-Assistant Registrar

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To

1. The Secretary,
Government of Tamil Nadu,
Rural Development and Panchayat Raj Department,
Fort St. George, Chennai - 9.
 2. The Director of Rural Development Department,
Panagal Building, Saidapet,
Chennai - 600 015.
 3. The District Collector,
Erode District.
 4. The District Collector,
Tiruppur District.
- +1 CC to Govt. Pleader sr 79706.
+1 CC to Mr. K. Raja, Advocate sr 79054.

W.P.No.27332 of 2019
and

सत्यमेव जयते

W.M.P.No.26762 of 2019

CA(CO)
SP(18/11/2019)

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