

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED: 22.10.2019
CORAM
THE HONOURABLE Mr.JUSTICE M.DHANDAPANI
W.P.No.30028 of 2019

G.Jayaseelan

... Petitioner

Vs

1.The Government of Tamil Nadu,
Rep. by its Secretary,
Finance (Pay Cell Department),
Chennai- 600 009.

2.The Director of School Education,
Chennai-600 006.

3.The Principal Secretary / Commissioner of
Treasuries and Accounts,
Integrated Office complex for
Finance Department,
Nandanam,
Chennai- 600 035.

4.The Assistant Treasury Officer,
Sub Treasury,
Gingee,
Villupuram District - 604202.

.... Respondents

PRAYER : Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus or any other writ or order or direction in the nature of a Writ directing the fourth respondent to act on the recommendation of the second respondent in Na.Ka.No.93790/R1/E1/2017, dated 27.03.2019 by fixing pension at Rs.18,450/- as provided under the provisions of the G.O.Ms.No.313, finance (Pay Cell) Department dated 25.10.2017 by taking into the scale of pay and grade pay as confirmed by the third respondent while issuing the pensioner identity card.

For Petitioner : Mr.S.Saravanan

For Respondents 1-2: Mr.C.Munusamy
Special Government Pleader

For Respondents 3-4: Mrs.M.Lalitha
Government Advocate

O R D E R

This Writ Petition has been filed for issuance of Writ of Mandamus directing the fourth respondent to act on the recommendation of the second respondent in Na.Ka.No.93790/R1/E1/2017, dated 27.03.2019 by fixing pension at Rs.18,450/- as provided under the provisions of the G.O.Ms.No.313, finance (Pay Cell) Department dated 25.10.2017 by taking into the scale of pay and grade pay as confirmed by the third respondent while issuing the pensioner identity card.

2. According to the petitioner, he was employed as a Superintendent with the office of the Second respondent and retired from service on 30.11.2000 on attaining the age of superannuation. The Government of Tamilnadu, Finance (Pay Cell) Department issued G.O.Ms.No.313 dated 25.10.2017 directing the revision of scales of pay and allowances for the State Government employees and teachers as well as revision of pension, family pension and retirement benefits based on the decisions of the Government of India on the recommendations of the seventh central pay commission.

3. The grievance of the petitioner is that pursuant to the benefits conferred in the said G.O., the petitioner made representation to the respondents to revise his pension and rectify difference of pension due and payable to the petitioner. However, there was no action forthcoming from the respondents. The petitioner made representation on 12.04.2019 to the respondents seeking to revise and fix his pension as provided in G.O.Ms.No.313, Finance (Pay Cell) Department, dated 25.10.2017. But, there was no reply hence the petitioner is before this Court.

4. The learned counsel for the petitioner would submit that without going into merits of the case since the representation made by the petitioner has been pending without any progress it would suffice if this Court directs the respondent to consider and dispose of the representation made by the petitioner in accordance with law.

5. The learned Special Government Advocate appearing for the respondents while conceding the claim of the petitioner, would submit that if any such direction is given by this Court, the same would be complied with and the representation of the petitioner would be disposed of in accordance with law.

6. Considering the facts and circumstances of the case and the submissions made on either side, without going into the merits of the case, the respondents are directed to consider and dispose of the representation dated 12.04.2019 made by the petitioner in accordance with law and on merits, within a period of twelve weeks from the date of receipt of a copy of this order.

7. With the above observation, this Writ Petition is disposed of. No costs.

Sd/-

Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

To

- 1.The Secretary,
Finance (Pay Cell Department),
Chennai- 600 009.
- 2.The Director of School Education,
Chennai-600 006.
- 3.The Principal Secretary / Commissioner of
Treasuries and Accounts,
Integrated Office complex for
Finance Department,
Nandanam,
Chennai- 600 035.
- 4.The Assistant Treasury Officer,
Sub Treasury,
Gingee,
Villupuram District - 604202.

+lcc to Mr.S.Saravanan, Advocate sr.88177

+lcc to Government Pleader SR.NO. 88753

W.P.No.30028 of 2019

br(co)
nr 30/01/2020

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