

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :30.10.2019

CORAM

THE HON'BLE MR.JUSTICE M.DHANDAPANI

W.P.No.30627 of 2019

G. Thiruvengadasamy

..Petitioner

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,
Kancheepuram District.

.. Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus or any other appropriate writ or order or direction in the nature of a writ directing the respondents herein to pay two increments for the training period in the post held by the writ petitioner as on 30.07.92, continuously upto his date of retirement and consequently take into account the said increments in the pensionary benefits of the petitioner 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 of 2005 and 39046 of 2005 dated 05.07.2011 and pass orders.

For Petitioner : Mr. N. Kolandaivelu

For Respondents : Mr. A.N. Thamidurai, Spl.GP

O R D E R

With the consent of both the parties, the Writ Petition is taken up for final disposal today at the stage of admission itself.

2. The petitioner filed this Writ Petition seeking direction to the respondents herein to pay two increments for the training period in the post held by the writ petitioner as on 30.07.92, continuously upto his date of retirement and consequently take into account the said increments in the pensionary benefits of the petitioner 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 of 2005 and 39046 of 2005 dated 05.07.2011.

3. The case of the petitioner is that the petitioner was appointed as Rural Welfare Officer in the year 1959 and he retired as BDO in the year 1992. The petitioner filed the present Writ Petition seeking direction to count the period of training undergone by the petitioner for the purpose of probation and increment, as similarly situated persons were extended with the said benefit. When the petitioner approached the respondents, he was informed that he would be given the benefits, subject to his getting orders from the Court. In this behalf, many similarly placed persons filed W.P.No.33981 of 2005 etc. and got favourable orders from the Court based on G.O.Ms.No.85 dated 11.09.2012 and G.O.Ms.No.62, dated 27.06.2013. Further, the representation dated 22.09.2019 made by the petitioner in this regard is not considered by the respondents till date. Hence the present Writ Petition.

4. The learned counsel for the petitioner would submit that it would be suffice to issue direction to the respondents to dispose of the representation dated 22.09.2019 on merits and in accordance with law.

5. Mr. A.N. Thambidurai, learned Special Government Pleader appearing for the respondents submitted that if the scheme permits, the representation of the petitioner will be considered in accordance with law.

6. Considering the facts and circumstances of the case and the limited request made by the learned counsel for the

petitioner, I am inclined to issue direction to the respondents to dispose of the representation dated 22.09.2019 on merits and in accordance with law within a period of twelve (12) weeks from the date of receipt of a copy of this order. With the above direction, the Writ Petition is disposed of. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

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,
Kancheepuram District.

+1 cc to M/s.N.Kolandaivelu, Advocate Sr.No. 89877
+1 cc to The Government Pleader Sr.No. 90402

AKM/06.12.19/3P-6C /

W.P.No.30627 of 2019

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