

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

DATED: 09.04.2019

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THE HONOURABLE MR.JUSTICE R.MAHADEVAN**W.P(MD)No.8492 of 2019**

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Thangavelsamy

... Petitioner

Vs.

1.The Secretary to Government,

Finance Department, Fort St. George,
Secretariat, Chennai - 09.

2.The Secretary to Government,

Rural Development and Panchayat Department,
Fort St. George, Secretariat, Chennai - 9.

3.The Director,

Commissioner of Rural Development and Panchayat Raj,
Panagal Building, Chennai - 15.

4.The District Collector,

Madurai District, Madurai.

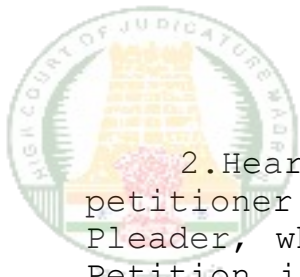
... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a writ of Mandamus, directing the respondents to issue revised orders, sanctioning selection and special grade by taking into consideration of the petitioner's total length of services rendered in the Agricultural Department and grant one bonus increment of total service completion of 30 years, consequently re-fix his last drawn pay and pension in the post of Rural Welfare Officer Grade-II and sanction difference in salary, arrears of pension and all other consequential monetary benefits in accordance with law in the light of the petitioner's last representation, dated 12.05.2018.

For Petitioner : Mr.S.Balamurugan

For Respondents : Mrs.J.Padmavathy Devi,
Special Government Pleader.**ORDER**

This writ petition has been filed seeking issuance of a writ of Mandamus, to direct the respondents to issue revised orders, sanctioning selection and special grade by taking into consideration of the petitioner's total length of services rendered in the Agricultural Department and grant one bonus increment of total service completion of 30 years and consequently re-fix his last drawn pay and pension in the post of Rural Welfare Officer Grade-II and sanction difference in salary, arrears of pension and all other consequential monetary benefits in accordance with law, in the light of the petitioner's last representation, dated 12.05.2018.



2. Heard Mr.S.Balamurugan, learned counsel appearing for the petitioner and Mrs.J.Padmavathy Devi, learned Special Government Pleader, who takes notice for the respondents. By consent, the Writ Petition is taken up for final disposal at the stage of admission itself.

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3. The grievance of the petitioner is that he was initially appointed as Village Level Worker (VLW Grade - II) and after periodical promotions, he retired from service as Rural Welfare Officer Grade - II on 30.06.2001. The petitioner was granted Selection Grade and Special Grade on completion of 20 years of service, but the petitioner has not been paid one bonus increment for stagnation in a post beyond 30 years in terms of G.O.Ms.No.562, Finance Department, dated 28.09.1998 as done in similarly placed retired persons like that of the petitioner. Hence, the petitioner sent a representation to the respondents on 12.05.2018 requesting the authorities to sanction the monetary benefits and other consequential benefits as stated supra. Since the same has not been considered so far, the petitioner has filed the present Writ petition.

4. The learned Special Government Pleader appearing for the respondents submitted that the representation of the petitioner would be taken into consideration by the respondents on merits.

5. In view of the above, this Court, without going into the merits of the case, directs the respondents to consider the representation of the petitioner, dated 12.05.2018, and pass appropriate orders, on merits and in accordance with law, after affording due opportunity of hearing to the petitioner, within a period of eight weeks from the date of receipt of a copy of this order.

6. With the above direction, this Writ Petition stands disposed of. No costs.

Sd/-

Assistant Registrar (CS-II)

/ True Copy /

Sub Assistant Registrar (CS)

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To

1. The Secretary to Government,
Finance Department,
Fort St. George,
Secretariat, Chennai - 09.



2.The Secretary to Government,
Rural Development and Panchayat Department,
Fort St. George,
Secretariat, Chennai - 9.

3.The Director,
Commissioner of Rural Development and Panchayat Raj,
Panagal Building, Chennai - 15.

4.The District Collector,
Madurai District,
Madurai.

+1 CC to M/s.S.BALAMURUGAN, Advocate
(SR-60225[F] dated 10/04/2019)

W.P (MD) No.8492 of 2019
09.04.2019

ES/KK/02.05.2019/3P/6C