



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 15.03.2019

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THE HONOURABLE MR.JUSTICE R.MAHADEVANW.P(MD) No.18996 and 18997 of 2017

P.Pandiarajan ... Petitioner in WP(MD)No.18996/2017
R.Rajendran ... Petitioner in WP(MD)No.18997/2017
vs.

- 1.The State of Tamil Nadu,
rep.by its Secretary to Government,
School Education Department,
Secretariat, Chennai.
- 2.The Principal Accountant General (A & E),
O/o.the Principal Accountant General (A & E)
Tamil Nadu, Chennai - 600 018.
- 3.The District Educational Officer,
O/o.the District Educational Office,
Arupukkottai - 626 101,
Virudhunagar District. ... Respondents in both W.Ps.

Prayer: Writ Petitions filed under Article 226 of the Constitution of India praying to issue a Writ of mandamus direct the 2nd respondent to admit the revised scale of pay of the petitioners as Rs.14070 including grade pay w.e.f. 01.01.2006 as fixed by the Government vide Letter No.51082/Pay Cell/2010-1 dated 15.09.2010 by considering the petitioners' representation dated 06.10.2016 in the light of the Government Letter in Letter No.57536/CMPC/2013-2 dated 25.07.2014 and consequently authorize the revised pension and pay the consequential pensionary benefits along with arrears.

For Petitioners : Mr.Mohamed Imran
for M/s.Ajmal Associates
For R1 & R3 : Mrs.S.Srimathy
Special Government Pleader
For R2 : Mr.P.Gunasekaran
in both writ petitions.

COMMON ORDER

Seeking to authorize the revised pension and consequently to pay pensionary benefits along with arrears, these writ petitions have been filed.

2. Heard the learned counsel appearing for the petitioners, the learned Special Government Pleader for the respondents 1 and 3 and the learned counsel for the second respondent.

3. The petitioners were employed as Lab Assistants and retired from service on 30.05.2015 and 30.04.2015 respectively. They were disbursed all pensionary benefits. The grievance of the petitioners is that in terms of the Government Letter in Letter No.57536/CMPC/2013-2 dated 25.07.2014, the petitioners are entitled to revised scale of pension, but such a claim made by the petitioners was not considered by the second respondent, though representations were made as early as on 06.10.2016. Hence, the petitioners are before this Court with the abovesaid prayer.

4. The learned counsel appearing for the second respondent submitted that the representations of the petitioners would be considered on merits and appropriate orders be passed.

5. In view of the above submission, these Writ Petitions are disposed of, directing the second respondent to consider the representations of the petitioners dated 06.10.2016, in the light of Government Letter in Letter No.57536/CMPC/2013-2, dated 25.07.2014 and pass appropriate orders on merits and in accordance with law, within a period of eight weeks from the date of receipt of a copy of this order, after affording an opportunity of hearing to the petitioners. No costs.

Sd/-

Assistant Registrar (T AND P)

// True Copy //

Sub Assistant Registrar (CS)

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To

1. The Secretary to Government,
State of Tamil Nadu,
School Education Department,
Secretariat, Chennai.



2.The Principal Accountant General (A & E),
O/o.the Principal Accountant General (A & E)
Tamil Nadu, Chennai - 600 018.

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3.The District Educational Officer,
O/o.the District Educational Office,
Arupukkottai - 626 101,
Virudhunagar District.

2CC TO M/S. AJMAL ASSOCIATES, ADVOCATES SR 54692 54693
1CC TO THE SPL GOVT PLEADER SR 54612

W.P(MD) No.18996 and 18997 of 2017

15.03.2019

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