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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : **08.03.2019**

CORAM:

THE HONOURABLE MR.JUSTICE **R.MAHADEVAN**

WP (MD) Nos.7921 to 7928 of 2017

TAMIL NADU MUNNAAL GRAMA NIRVAGA ALUVALARKALSANGAM,
REG.NO.43/2008 REP.BY THE AUTHORISED PERSON, P.GANESAN,
... Petitioner in WP(MD). 7921/ 2017

TAMIL NADU MUNNAAL GRAMA NIRVAGA ALUVALARKAL SANGAM,
REG.NO.43/2008 REP.BY THE AUTH.,PERSON, S.RAMASAMY,
... Petitioner in WP(MD). 7922/ 2017

TAMILNADU MUNNAL GRAMA NIRVAGA ALUVALARGAL SANGAM,
REP.BY THE AUTHORIZED PERSON, C.KAMALAYAN,
... Petitioner in WP(MD). 7923/ 2017

TAMIL NADU MUNNAAL GRAMA NIRVAGA ALUVALARKAL SANGAM,
REP. BY THE AUTHORIZED PERSON, B.JESU DAYANANTHAM
... Petitioner in WP(MD). 7924/ 2017

TAMIL NADU MUNNAL GRAMA NIRVAGA ALUVALARGAL SANGAM,
REP,BY THE AUTHORIZED PERSON, S.IRUTHALAYA MARUTHAPPA PANDIAN,
... Petitioner in WP(MD). 7925/ 2017

TAMIL NADU MUNNAAL GRAMA NIRVAGA ALUVALARKAL SANGAM,
REG.NO.43/2008 REP.BY THE AUTHORISED PERSON, B.PAULRAJ,
... Petitioner in WP(MD). 7926/ 2017

TAMIL NADU MUNNAL GRAMA NIRVAGA ALUVALARKAL SANGAM,
REP.BY THE AUTHORIZED PERSON, C.AMMAIAPPA PILLAI
... Petitioner in WP(MD). 7927/ 2017



TAMIL NADU MUNNAAL GRAMA NIRVAGA ALUVALARKAL SANGAM,
REP. BY THE AUTHORIZED PERSON, M.GANAPATHI,

... Petitioner in WP(MD). 7928/ 2017

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VS.

1.THE STATE OF TAMIL NADU,
REPRESENTED BY ITS CHIEF SECRETARY TO GOVERNMENT,
SECRETARIAT, FORT SAINT GEORGE,
CHENNAI -600 009.

2.THE STATE OF TAMIL NADU,
REPRESENTED BY ITS SECRETARY TO GOVERNMENT,
FINANCE (ALLOWANCES) DEPARTMENT,
FORT SAINT GEORGE,
CHENNAI - 600 009.

3.THE COMMISSIONER OF REVENUE ADMINISTRATION,
OFFICE OF THE COMMISSIONER OF REVENUE ADMINISTRATION,
EZHILAGAM, CHEPAUK, CHENNAI - 600 005.

4.THE DISTRICT COLLECTOR,
COLLECTORATE, TIRUNELVELI DISTRICT.

..RESPONDENT 1 TO RESPONDENT 4 IN
WP(MD)No.7921 TO 7928 OF 2017

5.THE REVENUE DIVISIONAL OFFICER,
OFFICE OF THE REVENUE DIVISIONAL OFFICER,
TENKASI, TIRUNELVELI DISTRICT.

..RESPONDENT 5 IN WP(MD)No.7921
AND 7926 TO 7928 OF 2017

6.THE TAHSILDAR,
VEERAKERALAMPUDUR,
TIRUNELVELI DISTRICT.

..6TH RESPONDENT IN WP(MD)No.7921 OF 2017

THE SUB-COLLECTOR
OFFICE OF THE SUB COLLECTOR,
CHERAN MAHADEVI, TIRUNELVELI DISTRICT

..5TH RESPONDENT IN WP(MD)No.7922, 7923
AND 7924 OF 2017.

THE REVENUE DIVISIONAL OFFICER
OFFICE OF THE REVENUE DIVISIONAL OFFICER,
TIRUNELVELI, TIRUNELVELI DISTRICT

..5TH RESPONDENT IN WP(MD)No.7925 OF 2017



THE TAHSILDAR
CHERANMAHADEVI TALUK,
CHERANMAKADEVI.

TIRUNELVELI DISTRICT.

..6TH RESPONDENT IN WP(MD) 7922 OF 2017

THE TAHSILDAR,
AMBASAMUDRAM TALUK,
AMABSAMUDRAM TIRUNELVELI DISTRICT.

..6H RESPONDENT IN WP(MD) 7923 OF 2017

THE TAHSILDAR,
RADHAPURAM TALUK,
RADHAPURAM, TIRUNELVELI DISTRICT.

..6TH RESPONDENT IN WP(MD)No.7924 OF 2017

THE TAHSILDAR
SANKARANKOIL TALUK, SANKARANKOIL,
TIRUNELVELI DISTRICT

..6TH RESPONDENT IN WP(MD)No.7925 OF 2017

THE TAHSILDAR
ALANGULAM TALUK, ALANGULAM,
TIRUNELVELI DISTRICT.

..6TH RESPONDENT IN WP(MD)No.7926 OF 2017

THE TAHSILDAR
THENKASI TALUK, THENKASI,
TIRUNELVELI DISTRICT.

..6TH RESPONDENT IN WP(MD)No.7927 OF 2017

THE TAHSILDAR,
SENGOTTAI TALUK, SENGOTTAI,
TIRUNELVELI DISTRICT.

..6TH RESPONDENT IN WP(MD)No.7928 OF 2017

COMMON PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, directing the respondent Nos.4 to 6 to provide the arrears of



revised Housing Rent Allowance to the members of the petitioner Association in 6th Respondent Taluk within the time stipulated by this Court.

For Petitioners

: Mr.T.Lajapthi Roy,

For Respondents

: Mrs.J.Padmavathy Devi,
Special Government Pleader
(in all Wps)

COMMON ORDER

These writ petitions have been filed seeking to direct the respondent Nos.4 to 6 to provide the arrears of revised Housing Rent Allowance to the members of the petitioners Associations.

2.The learned Counsel for the petitioners submitted that though various Government Orders were issued enhancing HRA for the Village Administrative Officers, on various occasions, the same were not paid to the petitioners' Members, but similarly placed persons have been paid. Hence, the petitioners made representations to the authorities. Since no orders have been passed on their representations, the petitioners are before this Court.

3.The learned Special Government Pleader submitted that the writ petitions are not maintainable, since, they have been filed by the Associations, and not by the individuals who have suffered.

4.This Court is of the view that when the issue is common for all the employees, there is no impediment for the Association to move the present writ petitions especially in the labour matter, where bargaining power of the employees are less. Therefore, these writ petitions have been rightly filed by the Associations.

5.At this stage, the learned Special Government Pleader appearing for the official respondents fairly submitted that the representations of the petitioners shall be directed to be considered on merits.

6.Considering the facts and circumstances of the case and having regard to the submissions made by the learned Counsel on either side, the respondents are directed to consider the petitioners Associations' representations on merits and in accordance with law and pass appropriate orders, after affording opportunity of hearing to the petitioners, within a period of eight weeks from the date of receipt of a copy of this order.



7. These writ petitions are disposed of, on the above terms.
No costs.

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Sd/-

Assistant Registrar (CS III)

// True Copy //

Sub Assistant Registrar (CS)

dsk

To

1. THE CHIEF SECRETARY TO GOVERNMENT,
SECRETARIAT, FORT SAINT GEORGE,
CHENNAI - 600 009.
2. THE SECRETARY TO GOVERNMENT,
FINANCE (ALLOWANCES) DEPARTMENT,
FORT SAINT GEORGE,
CHENNAI - 600 009.
3. THE COMMISSIONER OF REVENUE ADMINISTRATION,
OFFICE OF THE COMMISSIONER OF REVENUE ADMINISTRATION,
EZHILAGAM, CHEPAUK,
CHENNAI - 600 005.
4. THE DISTRICT COLLECTOR,
COLLECTORATE,
TIRUNELVELI DISTRICT.
5. THE REVENUE DIVISIONAL OFFICER,
OFFICE OF THE REVENUE DIVISIONAL OFFICER,
TENKASI, TIRUNELVELI DISTRICT.
6. THE REVENUE DIVISIONAL OFFICER
OFFICE OF THE REVENUE DIVISIONAL OFFICER,
TIRUNELVELI, TIRUNELVELI DISTRICT
7. THE SUB-COLLECTOR
OFFICE OF THE SUB COLLECTOR,
CHERAN MAHADEVI, TIRUNELVELI DISTRICT
8. THE TAHSILDAR, VEERAKERALAMPUDUR,
TIRUNELVELI DISTRICT.



9. THE TAHSILDAR,
AMBASAMUDRAM TALUK,
AMBASAMUDRAM TIRUNELVELI DISTRICT.

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10. THE TAHSILDAR
CHERANMAHADEVI TALUK,
CHERANMAKADEVI.
TIRUNELVELI DISTRICT.

11. THE TAHSILDAR,
RADHAPURAM TALUK,
RADHAPURAM, TIRUNELVELI DISTRICT.

12. THE TAHSILDAR
SANKARANKOIL TALUK, SANKARANKOIL,
TIRUNELVELI DISTRICT

13. THE TAHSILDAR
ALANGULAM TALUK, ALANGULAM,
TIRUNELVELI DISTRICT.

14. THE TAHSILDAR
THENKASI TALUK, THENKASI,
TIRUNELVELI DISTRICT.

15. THE TAHSILDAR,
SENGOTTAI TALUK, SENGOTTAI,
TIRUNELVELI DISTRICT.

1CC TO THE SPL GOVT PLEADER SR 53081

KK

22/05/2019

6P/17C