



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 18.07.2019

CORAM:

THE HONOURABLE **MR.JUSTICE S.M.SUBRAMANIAM**

W.P.(MD)No.16049 of 2015

and

W.M.P.(MD).No. 6647 of 2016

S.Sreedharan

... Petitioner

Vs.

1.The Assistant Director,
Department of Animal Husbandry,
Nagercoil,
Kanyakumari District.

2.The District Treasury Officer,
District Treasury,
Nagercoil,
Kanyakumari District.

3.The Principal Accountant General,
Anna Salai,
Chennai.

... Respondents

PRAYER: Writ Petition under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the 2nd respondent to re-fix the pension on the basis of the pre-revised scale of pay (4th Tamil Nadu Pay Commission) in terms of G.O.Ms.No.363 (Finance PGC) Department dated 23.08.2013 and disburse the arrears payable to the petitioner within time limit as fixed by this Court.

For Petitioners : Mr.R.M.G.Govardhanan
For R1 and R2 : Mr.C.Ramar
Additional Government Pleader
For R3 : Mr.P.Gunasekaran

ORDER

The relief sought for in the present writ petition is to direct the second respondent to re-fix the pension on the basis of the pre-revised scale of pay in terms of G.O.Ms.No.363 (Finance PGC) Department dated 23.08.2013.

2.In respect of the retired employee of the Government between the year 1978 to 1995, various objections were filed for the purpose of revision of scale of pay and grant of Dearness Allowance and the matter went up to the Hon'ble Supreme Court and pursuant to the order of the Supreme Court, the Government also issued an order



in G.O.Ms.No.363 (Finance PGC)Department, dated 23.08.2013.

3.The learned counsel appearing on behalf of the Accountant General of Tamil Nadu made a submission that pursuant to the Government Order issued in G.O.Ms.No.363, the pension of the writ petitioner had already been revised and as per G.O.Ms.No.363 revision was granted by the Principal Accountant General of Tamil Nadu in proceeding, dated 27.06.2014.

4.This being the factum, no further revision can be granted with reference to the claim set out in the present writ petition. The writ petitioner is setting out a claim for further revision, which is impermissible one. The Hon'ble Supreme Court decided the issue and based on the order of the Hon'ble Supreme Court, the Government had also issued a Government Order and that order was implemented by the Accountant General of Tamil Nadu in proceeding dated 27.06.2014, no further relief can be granted in respect of the claim set out in the present writ petition and accordingly, the present Writ Petition stands dismissed. No costs. Consequently, the connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(CS-III)

// True Copy //

Sub Assistant Registrar(CS)

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To

1.The Assistant Director,
Department of Animal Husbandry,
Nagercoil, Kanyakumari District.

2.The District Treasury Officer,
District Treasury,
Nagercoil, Kanyakumari District.

3.The Principal Accountant General,
Anna Salai, Chennai.

+1CC TO MR.P.GUNASEKARAN, Advocate Sr. No.76158

+1CC TO THE SPECIAL GOVERNMENT PLEADER SR.No.76385

W.P. (MD) No.16049 of 2015

and

W.M.P. (MD) .No. 6647 of 2016

18.07.2019

MA (CO)

TR (30.07.2019) 2P 6C