

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06.07.2020

CORAM:

THE HONOURABLE MR.JUSTICE S.VAIDYANATHAN

W.P.No.19808 of 2005

1. T.S.Padmanaban
2. P.Ramakrishnan
3. S.Kandasami
4. K.Seethapathi
5. P.Govindasami
6. S.Vadivelu
7. A.G.Kuppusami
8. G.Mani
9. C.Govindasami
- 10.R.N.Parthasarathi
- 11.G.Manickam
- 12.P.Kanniyappan
- 13.V.R.Rajan
- 14.Yesodhammal
- 15.K.Valliammal
- 16.Dhamayandhi
- 17.Chinnakannu Ammal
- 18.B.Kamatchi
- 19.S.Alamelu
- 20.Rukmaniammal
- 21.Dhanammal
- 22.S.R.Amaravathi
- 23.P.Pattu
- 24.G.Boopathammal

.... Petitioners

-VS-

1. The State of Tamil Nadu,
Rep. by the Secretary to Government,
Finance (Pension) Department,
Fort St.George, Chennai-600 009.
2. Govt. of Tamil Nadu,
Rep. by Secretary to Government,
Finance Department,
Fort St.George, Chennai-9.

... 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 extend the pensionary benefits conferred by G.O.Ms.No.271 Finance (Pension Department) dated 15.06.1998 to all the petitioners and in general who have retired or died after 01.06.1960.

<https://hcservices.ecourts.gov.in/hcservices/>

For Petitioner

: Mr.B.D.Deepak

For Mr.V.Thirupathi

For Respondents : Mr.K.Mahesh,
Spl. Govt. Pleader

O R D E R

This Writ Petition has been filed for a direction to the respondents to extend the pensionary benefits conferred by G.O.Ms.No.271 Finance (Pension Department) dated 15.06.1998 to all the petitioners and in general who have retired or died after 01.06.1960.

2. It is the case of the petitioners that the Government had issued a Government Order in G.O.Ms.No.810 Finance Department dated 09.08.1989, revising the pension and family pension of the petitioners, who retired or died prior to 01.06.1960 on the basis of the recommendation made by V Pay Commission. Subsequently, Ambasamudram Taluk Pensioners Association filed O.A.No.1919 of 1994 before the Tamil Nadu Administrative Tribunal, Chennai to extend such benefits to those who retired after 01.06.1960 and obtained an order in their favour on 06.05.1996. It is the grievance of the petitioners that though the Government issued an order in G.O.Ms.No.271 Finance Department dated 15.06.1998 extending the benefits of 60% increase for those who were drawing pension/family pension upto Rs.500/-p.m. and 50% increase for those who were drawing pension/family pension above Rs.500/-p.m., to those who have retired after 01.06.1960, the said Government Order was restricted only to the members of Ambasamudram Taluk Pensioners Association alone. Hence, the petitioners, who are similarly placed like that of Ambasamudram Taluk Pensioners Association, have approached this Court seeking for the above direction.

3. Learned Special Government Pleader has fairly conceded that in case the Government Order passed in G.O.Ms.No.271 Finance Department dated 15.06.1998 is applicable to the petitioners, the benefits accrued therein will be extended to them and they cannot, as a matter of right, demand the same.

4. In view of the above submission made by the learned Special Government Pleader, this Writ Petition is disposed of, with a direction to the respondents to extend the benefits conferred by G.O.Ms.No.271 Finance Department dated 15.06.1998 to the Writ Petitioners/pensioners, who have retired or died after 01.06.1960 and family pensioners, in case the said Government Order is applicable to them, within a period of three months from the date of receipt of a copy of this order. No costs.

Sd/-

Assistant Registrar

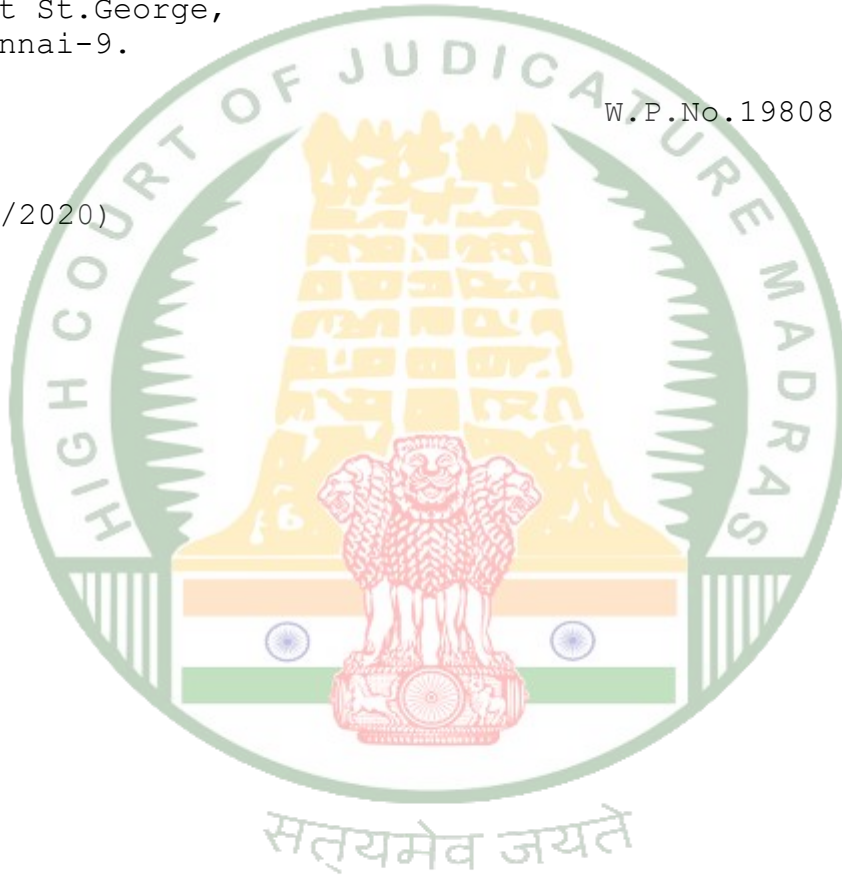
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To:

1. The Secretary to Government,
State of Tamil Nadu,
Finance (Pension) Department,
Fort St.George,
Chennai-600 009.
2. The Secretary to Government,
Government of Tamil Nadu,
Finance Department,
Fort St.George,
Chennai-9.

W.P.No.19808 of 2005

MP (CO)
CB(07/08/2020)



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