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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.01.2020

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THE HON'BLE MR.JUSTICE N.ANAND VENKATESH

W.P.No.11700 of 2019

M.Ramkumar

... Petitioner

.Vs.

1.Union of India rep.by its Secretary,
Ministry of Home Affairs,
Central Secretariat,
New Delhi-110001.

2.Director General,
CISF, Head Quarters,
New Delhi-3.

3.Additional Director General,
CISF, Airport Sector Head Quarter,
New Delhi.

4.The Deputy Inspector General/
Airport South Zone Head Quarters,
Central Industrial Security Force,
Ministry of Home Affairs,
Rajaji Bhavan, Chennai-90.

5.The Senior Commandant/CASO,
O/o the Senior Commandant/CASO,
Aviation Security Group,
Bengaluru International Airport,
Bengaluru 560 300.

... Respondents

Prayer:- Writ petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, to direct the Respondents to pay the arrears House Rent Allowance for the period from 2.12.2013 to 15.05.2016 at the rate of Rs.6,500/- per month by considering the petitioner representation dated 15.03.2018.

For Petitioner : Ms.Selvi George

For Respondents : Mr.R.Vasudevan
CGSC



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O R D E R

This Writ Petition has been filed for the issue of a Writ of Mandamus to direct the respondents to pay the arrears of House Rent Allowance for the period from 02.12.2013 to 15.05.2016 at the rate of Rs.6,500/-.

2.The case of the petitioner is that a seniority list was prepared for claiming HRA and the recommendation was made based on the vacancy position. According to the petitioner, his name was placed in the seniority for HRA/Lease and it was forwarded to the 1st respondent. The 1st respondent after considering the recommendation and other material records was pleased to grant permission to the petitioner to live outside without HRA for a period of one year with effect from 23.12.2013. In the meanwhile, a writ petition was moved before the Delhi High Court directing the CISF Personnel to be given HRA arrears for a period of three years.

3.This judgment was implemented by the CISF and a circular was issued on 19.05.2016 and it was decided to implement the judgment of the Delhi High Court and grant HRA arrears from 09.04.2013 to 08.04.2016. According to the petitioner, he is entitled for the HRA at the rate of Rs.6,500/- per month from 02.12.2013 to 15.05.2016. Making the said claim, the present writ petition has been filed before this Court.

4.Ms.Selvi George, learned counsel appearing on behalf of the petitioner submitted that the petitioner was not paid the arrears of HRA for three years and the petitioner has also given voluntary retirement with effect from 11.09.2017. Therefore, the learned counsel submitted that the petitioner made a representation seeking for the arrears of House Rent Allowance and the same was not considered. Therefore, the learned counsel sought for a direction to the respondents to pay the arrears of House Rent Allowance for the period from 02.12.2013 to 15.05.2016.

5.Mr.R.Vasudevan, learned Central Government Standing Counsel appearing on behalf of the respondents submitted that the petitioner has been paid the arrears of the House Rent Allowance for the entire period amounting to a sum of Rs.80,566/-. The learned counsel also produced the copy of the pay bill which substantiated the submission made by the learned Standing counsel. This amount was credited directly into the bank account of the petitioner on 06.11.2019. The learned counsel therefore submitted that the arrears of HRA to which the petitioner is entitled has already been paid to the petitioner by crediting the amount in his bank account and the learned Standing Counsel concluding his arguments by submitting that the petitioner is not entitled for any other amount as per the rules.



7. The grievance that was expressed by the petitioner in this writ petition was that he was not paid the HRA arrears for the period from 02.12.2013 to 15.05.2016 in accordance with the circular issued by CISF on 19.05.2016. It has now been brought to the notice of this Court that the petitioner has been paid the HRA arrears for the said period amounting to a sum of Rs.80,566/- and the same is also reflected in the pay bill wherein, the amount has been directly credited to the bank account of the petitioner.

In the result, this Writ Petition is disposed of with the above terms. There shall be no order as to costs.

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Sub Assistant Registrar

To

4. The Deputy Inspector General/
Airport South Zone Head Quarters,
Central Industrial Security Force,
Ministry of Home Affairs,
es.ecourts.gov.in/hcservices/
Rajali Bhavan, Chennai-90.



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5.The Senior Commandant/CASO,
O/o the Senior Commandant/CASO,
Aviation Security Group,
Bengaluru International Airport,

Bengaluru 560 300.

+1cc to Mrs.Selvi George , Advocate SR.No. 497

+1cc to Mr.R.Vasudevan , Advocate SR.No. 327

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A.SK(07/01/2020)