



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 27.01.2020

CORAM:

THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P. (MD) No.411 of 2020

R.Neethirajan

... Petitioner

vs.

The Managing Director,
Tamilnadu Forest Plantation Corporation Ltd.,
(A Government of Tamilnadu undertaking),
Karur Main Road, Mallachipuram,
Kamaparasampettai Post,
Thiruchirappalli-621 001.

... Respondent

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of writ of mandamus, to direct the respondent to sanction the additional charge salary for the post of Assistant Conservator of Forests, Flying Squad, Trichy, held by the petitioner for the period from 01.07.2017 to 30.06.2018 and to disburse the same to the petitioner within a period prescribed by this Court.

For Petitioner : Mr.S.P.Maharajan

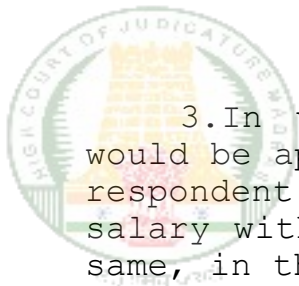
For Respondent : Mr.M.Rajaraman

Government Advocate

O R D E R

The petitioner herein, who claims to be eligible for additional charge salary as allowances for the additional charge held by him, has filed the present writ petition seeking for such charges for the period commencing from 01.07.2017 to 30.06.2018. In view of the Government orders in G.O (Ms) No.122 dated 03.10.2011 and G.O.(Ms) No.153 dated 05.12.2017, the petitioner claims to be entitled for the additional charge salary.

2.Today, when the matter was called, the learned Government Advocate appearing for the respondent would submit that since G.O. (Ms) No.153 came into effect from 05.12.2017, the petitioner may not be entitled for the additional charge salary for the period between 05.12.2017 to 26.12.2017 and apart from that, he would be entitled to receive the additional charge salary for the period commencing from 01.07.2017 to 04.12.2017 as well as the period from 27.12.2017 to 30.06.2018. The learned counsel for the petitioner also would ratify that he may not be entitled for such salary from 05.12.2017 to 26.12.2017 and that he is willing to receive the additional charge salary for the aforesaid two periods, which the respondent has offered to him.



3. In view of the submissions made by both the counsels, it would be appropriate to direct the petitioner herein to approach the respondent with necessary requisition claiming the additional charge salary with consequent directions to the respondent to consider the same, in the light of the submissions made before this Court.

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4. For all the forgoing reasons, the petitioner is granted liberty to make an appropriate application before the fourth respondent herein, seeking for additional charge salary for the post of Assistant Conservator of Forests, Flying Squad, Trichy, held by the petitioner, for the periods namely, (i) 01.07.2017 to 04.12.2017; and (ii) 27.12.2017 to 30.06.2018. On receipt of the requisition, the respondent herein shall pass appropriate orders in the light of G.O (Ms) No.122, Personnel and Administrative Reforms Department, dated 03.10.2011 and G.O (Ms) No.153, Personnel and Administrative Reforms FR(IV) Department, dated 05.12.2017 as well as Government Letter No.7694/Fin(BPE)/2012-1 Finance (BPE) Department, dated 29.03.2012 and Government Letter No.26830/FR-IV/2017-1 Personnel and Administrative Reforms FR(IV) Department dated 20.12.2017 and disburse the additional charge salary for the aforesaid two periods. Such an exercise shall be completed atleast within a period of four weeks from the date of receipt of a copy of this order. This Writ Petition is allowed accordingly. No costs.

Sd/-

Assistant Registrar ()

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

To:-

The Managing Director,
Tamilnadu Forest Plantation Corporation Ltd.,
(A Government of Tamilnadu undertaking),
Karur Main Road, Mallachipuram,
Kamaparasampettai Post,
Thiruchirappalli-621 001.

+1 CC to M/s.M.RAJARAJAN, Advocate (SR-3236[F] dated 27/01/2020)

+1 CC to M/s.S.P.MAHARAJAN, Advocate (SR-3297[F] dated 28/01/2020)

W.P. (MD) No.411 of 2020

27.01.2020

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