



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 02.12.2020

CORAM:

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P. (MD) No.12654 of 2015

The Tamil Nadu Rural Development
Pensioners Association,
Represented by its Vice President,
M.Ganesan

... Petitioner

Vs.

1.The Government of Tamil Nadu,
Rep.by its Principal Secretary,
Finance (PGC) Department,
Secretariat, Chennai.

2.The State Government,
Rep.by its Principal Secretary to Government,
Rural Development & Panchayat Raj Department,
Fort St.George, Chennai - 9.

3.The Commissioner of Treasuries and Accounts,
Panagal Maligai,
Saidapet, Chennai - 600 015.

4.The Principal Accountant General,
(Accounts & Entitlement Departments),
No.36, Anna Salai, Theynampet,
Chennai - 600 018.

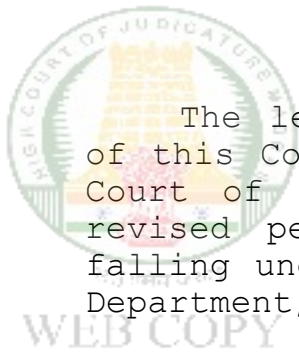
5.The Director,
Local Funds & Audit Accounts,
Kuralagam, Chennai 108.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the 1st Respondent to rectifying the G.O.No.363, dated 23.08.2013 in the light of Judgment of the Apex Court in Civil Appeal No.8849/2012, dated 17.01.2013 in so far as to extent the benefits to the member of the petitioner's Association on the basis of 5th Pay Commission implementation and lifetime arrears of pension payable to the Legal Heirs of the members of the Pensioner's Association.

For Petitioner	: Mr.A.P.Muthu Pandian
For Respondents	: Mr.D.Muruganandham
(R1 to R3 & R5)	Addl.Govt.Pleader
For Respondent-4	: Mr.P.Gunasekaran

O R D E R



The learned counsel for the respondents brought to the notice of this Court that pursuant to the Judgment of the Hon'ble Supreme Court of India, necessary steps were taken and accordingly, the revised pension was issued to all the pensioners, who are all falling under the categories mentioned in G.O.No.363, Finance (PGC) Department, dated 23.08.2013.

2. It is brought to the notice of this Court that the benefit was extended even to the pensioners and family pensioners.

3. At the outset, the spirit of Government Order was implemented in respect of all the pensioners and family pensioners and this being the factum, the relief as such sought for in the present Writ Petition deserves no further consideration. However, if any member of the Petitioner Association is aggrieved from and out of the individuals revision of pension, such individuals are permitted to redress their grievances in the manner known to law. As far as the Petitioner Association is concerned, common relief cannot be granted as the respondent Government implemented the Government order in G.O.No.363, Finance (PGC) Department, dated 23.08.2013.

4. With these observations, the Writ Petition stands disposed of. No costs.

Sd/-

Assistant Registrar (CS-I)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

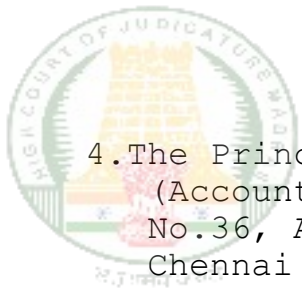
MPK

To

1.The Principal Secretary,
Government of Tamil Nadu,
Finance (PGC) Department,
Secretariat, Chennai.

2.The Principal Secretary to Government,
State Government,
Rural Development & Panchayat Raj Department,
Fort St.George, Chennai - 9.

3.The Commissioner of Treasuries and Accounts,
Panagal Maligai,
Saidapet, Chennai - 600 015.



4.The Principal Accountant General,
(Accounts & Entitlement Departments),
No.36, Anna Salai, Theynampet,
Chennai - 600 018.

5.The Director,
Local Funds & Audit Accounts,
Kuralagam, Chennai 108.

+1 CC to SPL GP (SR-23924[F] dated 03/12/2020)

W.P. (MD) No.12654 of 2015
02.12.2020

VB (16.12.2020) 3P 7C