



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 15.10.2020

CORAM:

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

W.P. (MD)Nos.7847 and 7848 of 2014

W.P. (MD)No.7847 of 2014

R.Padmanaban

... Petitioner

Vs.

1.The Government of Tamil Nadu,
represented by its Secretary,
Finance (Pay Cell) Department,
St.George Fort, Chennai.

2.The Commissioner of Technical Education,
The Directorate of Technical Education,
Guindy-600 025.

3.The Principal,
Government Polytechnic,
Thoothukudi District.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus to direct the respondents to refix the salary of the petitioner as per G.O.Ms.No.338, Finance (Pay Cell) Department dated 26.08.2010 and pay the arrears along with interest and further directing the respondents to refix the pension of the petitioner as G.O.Ms.No.314 Finance (Pay Cell) Department dated 22.07.2013 and pay the arrears along with interest.

W.P. (MD)No.7848 of 2014

A.Rengasamy

... Petitioner

Vs.

1.The Government of Tamil Nadu,
represented by its Secretary,
Finance (Pay Cell) Department,
St.George Fort, Chennai.

2.The Commissioner of Technical Education,
The Directorate of Technical Education,
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For Petitioner
in both petitions : Mr.G.Prabhu Rajadurai

For Respondents
in both petitions : Mr.P.Mahendran
Additional Government Pleader

COMMON ORDER

Both the writ petitions have been filed seeking a direction to direct the respondents to refix the salary of the petitioner as per G.O.Ms.No.338, Finance (Pay Cell) Department dated 26.08.2010 and pay the arrears along with interest and further directing the respondents to refix the pension of the petitioner as G.O.Ms.No.314 Finance (Pay Cell) Department dated 22.07.2013 and pay the arrears along with interest. The grievance of the petitioners is that they are entitled for pension as per G.O.Ms.No.314 Finance (Pay Cell) Department dated 22.07.2013.

2. It is brought to the notice of this Court that the writ petition filed by the similar pensioner was allowed and against the said order, an appeal was preferred in W.A.No.788 of 2013. The said appeal is pending before the Honourable Division Bench of this Court.

3. This being the factum established, no purpose would be served in keeping these writ petitions pending. The case of the writ petitioners is to be considered based on the orders to be passed by the Honourable Division Bench of this Court in W.A.No.788 of 2013. The writ petitioners are permitted to submit a representation after the disposal of the writ appeal to the competent authorities along with the relevant documents and in the event of submitting the said representations after the disposal of the writ appeal, the same have to be considered on merits and in accordance with law.



4. With the above observations, both the Writ Petitions are disposed of. No costs.

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// True Copy //

Sd/-

Assistant Registrar (AE)

/ /2020

Sub Assistant Registrar(CS)

SSL

To

1.The Secretary,
Government of Tamil Nadu,
Finance (Pay Cell) Department,
St.George Fort, Chennai.

2.The Commissioner of Technical Education,
The Directorate of Technical Education,
Guindy-600 025.

3.The Principal,
Government Polytechnic,
Thoothukudi District.

+2 CC to M/s.G. PRABHU RAJADURAI, Advocate (SR-20390[F] dated
16/10/2020)

W.P. (MD)Nos.7847 and 7848 of 2014
15.10.2020

DKS (CO)

AP(03/11/2020) 3P 6C