



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 07.12.2020

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.(MD).No.2515 of 2015
and
M.P.(MD)No.1 of 2015

A.Chellappa

... Petitioner

-Vs-

1.The Secretary to Government,
State of Tamil Nadu,
Revenue Department,
Secretariate, Chennai-9.

2.The Commissioner and Director,
Department of Survey and Settlement,
Chennai-5.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, to call for the records of the impugned G.O.Ms.No.425, வருவாய் (நி.அ.3(2)) துறை, dated 29.09.2014 insofar as notional fixation of pay from the date of the G.O. and quash the same and consequently direct the first respondent to grant monetary benefits to the petitioner from 04.12.1971.

For Petitioner	: Mr.V.Perumal
For Respondents	: Mr.P.Mahendran
	Additional Government Pleader

ORDER

The relief sought for in the present writ petition is to quash the G.O.Ms.No.425, Revenue Department, dated 29.09.2014 insofar as notional fixation of pay from the date of the G.O., consequently direct the first respondent to grant monetary benefits to the petitioner from 04.12.1971.

2.The learned Additional Government Pleader submitted a copy of the letter sent by the Director of Survey and Settlement, Chepauk, Chennai -05, dated 03.12.2020, wherein it is informed that the case of the writ petitioner was considered and accordingly, the pay was revised with effect from 04.12.1971 notionally and the benefits were also granted and revised pension was fixed and arrears were also settled in favour of the writ petitioner. The letter, dated 03.12.2020 reads as follows:

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



"I am to state that based on the request of Thiru.A.Chellappa, Inspector of Survey (Retd)-the petitioner in W.P(MD).No.2515 of 2015-to grant him retrospective promotion in the category of Sub Inspector of Survey and Land Records with effect from 04.12.1971, the Director of Survey and Settlement sent necessary proposal to the Government and the Government in the G.O 1st cited created 26 supernumerary posts in the cadre of Sub Inspector of Survey with effect from 04.12.1971 and as all these 26 persons have retired from service, the Government ordered that based on their pay to fixed notionally on the date of their retirement, revised pension will be given from the date of Government order.

In accordance to the G.O 1st cited, the Assistant Director of Survey and Land Records, Madurai, in his proceedings 2nd cited, has revised the pay of the petitioner in the cadre of Sub Inspector of Survey with effect from 04.12.1971 notionally and his revised pension w.e.f 29.09.2014 and other pensionary benefits have been admitted by the A.G.in letter No.P22/2/REV/12213649/PPO dated 16.07.2015 as follows and drawn by the petitioner. "

	Pre-Revised	Revised
Pension	3950	9605
D.C.R.G	189008	203363
Commutation	198322	207826

3.In view of the grievance of the writ petitioner has already been redressed and the revised pension has also been settled in favour of the writ petitioner, no further adjudication is required and accordingly, the Writ Petition stands closed. No costs. Consequently, connected Miscellaneous Petition is also closed.

Sd/-

Assistant Registrar (CS-II)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

rmk



To

1.The Secretary to Government,
State of Tamil Nadu,
Revenue Department,
Secretariate, Chennai-9.

2.The Commissioner and Director,
Department of Survey and Settlement,
Chennai-5.

+1 CC to Mr.V.PERUMAL, Advocate (SR-24236[F] dated 07/12/2020)

+1 CC to SPL GP (SR-24619[F] dated 09/12/2020)

W.P. (MD) .No.2515 of 2015
07.12.2020

VB (17.12.2020) 3P 5C