

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 18.01.2021
CORAM
THE HONOURABLE MR.JUSTICE R.MAHADEVAN
W.P.No.10773 of 2014

1. S.Chandrasekaran
2. P.Ramalingam
3. K.N.Srinivasan
4. N.Ardhanari
5. P.Annammal
6. V.Jayasing Ganaraj
7. C.Mary
8. R.Ulaganathan
9. S.Sarojini
- 10.V.Duraikannu

... Petitioners

Vs.

The Secretary to Government,
Finance [Pay Cell] Department,
Fort St. George, Chennai - 9.

... Respondent

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, to direct the respondent to extend the benefit of G.O.No.363 Finance Department dated 23.08.2013 to all the petitioners and consequently revise the pay and pension and pay the arrears within a stipulated period.

For Petitioners : Mr.R.Prem Narayan

For Respondents : Mr.S.Thangavel, SGP

सत्यमेव जयते
ORDER

This writ petition has been filed seeking a direction to the respondent to extend the benefit of G.O.No.363, Finance (PGC) Department, dated 23.08.2013 to the petitioners and pay the revised pension along with arrears, within a time frame to be stipulated by this Court.

2.According to the learned counsel for the petitioners, the Government passed G.O.No.363, Finance (PGC) Department, dated 23.08.2013, thereby treating the Dearness Allowance as Dearness pay for the purpose of pension revision, as per the order of the Supreme Court in SLP.Nos.8848 to 8870 of 2012 dated 17.01.2013, filed by Kallakurichi Taluk Retired Official Association and other Associations/ individual appellants for extending the

orders issued in G.O.Ms.No.272, Finance (Pension) Department dated 15.06.1998 to those retired between 01.06.1988 and 31.12.1995. Stating that the petitioners are also similarly placed retirees between 01.06.1988 and 31.12.1995, they sent individual representations dated 20.01.2014 and 12.02.2014 to the respondent, seeking to extend the said benefit of G.O.No.363 dated 23.08.2013 and revise their pension. Finding no response on the same, they have come up with this writ petition for the aforesaid relief.

3.On the other hand, the learned Special Government Pleader appearing for the respondent fairly submitted that the respondent would consider the representations of the petitioners and pass orders, on merits, within a reasonable time to be stipulated by this Court.

4.Considering the facts and circumstances of the case and having regard to the submissions made by the learned counsel on either side, this Court, without going into the merits of the case, directs the respondent to consider the petitioners' representations dated 20.01.2014 and 12.02.2014, if not already considered, and pass appropriate orders, on merits and in accordance with law and also in the light of G.O.No.363, Finance Department, dated 23.08.2013, within a period of six weeks from the date of receipt of a copy of this order.

5.With the above direction, the writ petition is disposed of. No costs.

Sd/-

Assistant Registrar(CS VII)

//True Copy//

Sub Assistant Registrar

vrc
To

The Secretary to Government,
Finance [Pay Cell] Department,
Fort St. George, Chennai - 9.

+1cc to Mr.PREM NARAYAN, Advocate SR.No. 2304
+1 cc to Government Pleader Sr.No. 2134

W.P.No.10773 of 2014

GMI (CO)
A.SK 12/07/2021