

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.01.2021

CORAM

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P.No.29726 of 2014

1. S.Panneerselvam
2. P.Singaravelu
3. N.Radhakrishnan
4. Tmt.B.Senthamilselvi
5. K.Renganayaki
6. V.Gurumoorthy
7. R.Kuppusamy

... Petitioners

Vs.

1. The Government of Tamil Nadu Rep. by its Secretary to Government, Rural Development & Panchayat Raj Department, Fort St. George, Chennai - 600 009.
 2. The Commissioner of Rural Development, and Panchayat Raj Department, Saidapet, Chennai - 600 015.
 3. The Principal Accountant General (A&E) Tamil Nadu, No.361, Anna Salai, Chennai 600 018.
- ... Respondents

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, to direct the respondents to count two years Rural Welfare Officer training period undergone by the petitioners for increment and grant increment in the posts in which they were holding as on 30.07.1992 and consequently refix their pay and pension together with arrears of pay and pension.

For Petitioner : Mr.V.Suthakar

For Respondents: Mr.S.Thangavel

Special Government Pleader - R1 & R2
Mr.J.Sreevidya - R3

ORDER

This writ petition has been filed seeking direction to the respondents to count two years Rural Welfare Officer training period undergone by the petitioners for increment and grant increment in the posts in which they were holding as on

30.07.1992 and consequently refix their pay and pension together with arrears of pay and pension.

2. According to the petitioners, they are retired Government employees of Rural Development Department, who were initially appointed as Rural Welfare Officer Grade II and retired as Divisional Development Officer, Block Development Officer, Deputy Block Development Officer, Extension Officer (Since abolished) Assistant/RW Gr.I. As per G.O.Ms.No.85 Rural Development and Panchayat (PA4) Department, dated 11.09.2002, the Government granted benefit of counting the training period in the cadre of Rural Welfare Officer for a period of two years for the purpose of granting increment and consequential pensionary benefits. The petitioners have also undergone two years training in the cadre of Rural Welfare Officer and therefore, they are also entitled to get the benefit of the above Government Order. Despite the above Government Order, the Accountant General Chennai refused to count the training period of the petitioners for the purpose of pension. Similarly placed employees have approached this Court by way of Writ petitions and this Court granted them the benefit of the Government Order in G.O.Ms.No.85. In this regard, the petitioners have made individual representation dated 12.08.2013 to the first respondent and the first respondent has not considered the same till date. Hence, the present writ petition.

3. The learned Special Government Pleader appearing for the first and second respondents filed a counter and submitted that the request of the petitioners to count their training period undergone will be considered favourably provided they submit their representation with the proof of training undergone through the Collector of the District in which they retired from service and the relevant portion of the counter reads as follows :

"In this regard, it is submitted that the request of the individuals to count the Rural Welfare Officer Grade - II training period undergone by the petitioners will be considered favourably, provided the petitioners submit their representation with the proof of training undergone through the Collector of the District in which they retired from service. On receipt of the same from Collector, the Director of Rural Development and Panchayat Raj will obtain Order from the Government to count training period as Rural Welfare Officer Grade - II for increments."

4. Considering the facts and circumstances of the case and also having regard to the contentions of the second respondent in his Court, this Court directs the second respondent consider the representations made by the petitioners dated 12.08.2013 in line with the submissions of the second respondent in the

counter, and pass appropriate Orders in accordance with law within a period of eight weeks from the date of receipt of a copy of this Order.

5. Accordingly, the writ petition stands disposed of. No costs.

Sd/-

Assistant Registrar (CS-VII)

//True Copy//

Sub Assistant Registrar

vrc

To

1. The Secretary to Government, Rural Development & Panchayat Raj Department,
Fort St. George, Chennai - 600 009.
2. The Commissioner of Rural Development,
and Panchayat Raj Department,
Saidapet, Chennai - 600 015.
3. The Principal Accountant General (A&E) Tamil Nadu,
No.361, Anna Salai, Chennai 600 018.

+1cc to the Government Pleader, S.R.No. 3571

W.P.No.29726 of 2014

PPA(CO)
GN(29/06/2021)

सत्यमेव जयते

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