



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **02.12.2021**

CORAM:

THE HONOURABLE **DR.JUSTICE ANITA SUMANTH**

W.P. (MD)No.18966 of 2018

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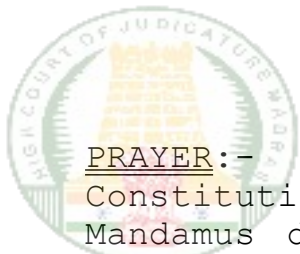
S.Senthatti

...Petitioner

/Vs./

- 1.The State of Tamil Nadu,
Represented by its Secretary to Government,
Rural Development and Panchayat Raj Department,
Fort St.George,
Chennai - 600 009.
- 2.The Director,
Directorate of Rural Development and Panchayat Raj Department,
Panagal Building, Saidapet,
Chennai - 600 015.
- 3.The District Collector,
Theni District, Theni.
- 4.The Assistant Director of Panchayats,
Collectorate Campus,
Theni, Theni District.
- 5.The Block Development Officer,
Village Panchayats,
Chinnamanoor Panchayat Union,
Chinnamanoor,
Theni District.
- 6.The Commissioner,
Chinnamanoor Panchayat Union,
Chinnamanoor,
Theni District.
- 7.The Special Officer,
Chinna Oulapuram Panchayat,
Uthamapalayam Taluk,
Theni District.
- 8.The Secretary,
Chinna Oulapuram Panchayat,
Uthamapalayam Taluk,
Theni District.

...Respondents



PRAYER:- Writ Petition - filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Mandamus directing the Respondents 3 to 8 to consider and pass appropriate orders on the representation of the petitioner dated 20/06/2018 sent for the purpose of disbursement of arrears of increased pay to the petitioner from 01/01/1996 to 31/05/2000 within a stipulated time as that may be fixed by this Court.

For Petitioner : Mr.A.Saravanan
For R1 to R6 : Mr.A.K.Manikkam
Special Government Pleader
For R7 & R8 : No appearance

ORDER

The petitioner had superannuated on 31.05.2000 as a Panchayat Assistant in Chinna Oulapuram Panchayat. He seeks a mandamus directing respondents 3 to 8 to disburse arrears of increased pay to the petitioner for the period 01.01.1996 to 31.05.2000, within a fixed timeframe.

2.Petitioner relies upon two Government Orders; (i) G.O. (MS)No.191, Finance (Pay Cell) Department dated 29.04.1998 and (ii) G.O.Ms.No.117, Rural Development Department, dated 10.05.2000 as well as the orders passed in W.P.(MD)No.11317 of 2009 (order dated 09.04.2013) and W.P.(MD)No.663 of 2017 (order dated 12.01.2017) in the cases of identically placed employees, and implemented.

3.Per contra, 5th respondent ie., Block Development Officer has filed a detailed counter, wherein he distinguishes the cases cited by the petitioner and also states that Government Orders relied upon by the petitioner do not come to his aid at all.

4.In addition, Mr.A.K.Manikkam, learned Special Government Pleader would also rely upon a decision of the Division Bench of this Court in the case of *State and others vs. S.Selvam and others* in Review Application (MD)No.178 of 2018 dated 05.04.2019.

5.In view of the fact that the the petitioner has made the same request as before this Court before the authorities, and rests content with an order directing the disposal of his representation, I direct R5/Block Development Officer to hear the petitioner on his representation dated 20.06.2018, consider the impact of the Government Orders and the cases noticed supra, as well as any others, that may come to the aid of the petitioner or State, as the case may be, and pass a reasoned and speaking order, bearing in mind applicable rules and regulations, within a period



of eight weeks from the date of uploading of this order upon the official website of this Court. This Writ Petition is disposed as above. No costs.

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Sd/-

Assistant Registrar (WRITS)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

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Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To

1. The State of Tamil Nadu,
Represented by its Secretary to Government,
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5. The Block Development Officer,
Village Panchayats, Chinnamanoor Panchayat Union,
Chinnamanoor, Theni District.
6. The Commissioner,
Chinnamanoor Panchayat Union,
Chinnamanoor, Theni District.

+1 CC to M/s.SPL GP (SR-37227[F] dated 03/12/2021)

+1 CC to M/s.A.SARAVANAN, Advocate (SR-36947[F] dated 02/12/2021)

Order made in
W.P.(MD)No.18966 of 2018
Dated: 02.12.2021