



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22.02.2022

CORAM:

THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P.NO.25621 OF 2007

R.Palani

...Petitioner

-Vs-

1. State of Tamil Nadu,
Rep. by its Secretary to Government,
Rural Development Department,
Secretariat, Chennai - 600 009.
2. The Director of Rural Development,
Panagal Building, Saidapet,
Chennai - 600 015.
3. The District Collector,
Tiruvallur District, Tiruvallur.
4. The District Collector,
Kancheepuram District,
Kancheepuram.
5. M.Prabakaradu

(R5 impleaded as per order dated
23.08.2007 in MP.No.3/2007 in
W.P.No.25621/2007)

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Certiorarified Mandamus, calling for the entire records in Roc.No.1914/2007/PA-1 dated 16.02.2007 including the panel for the year 2007 and Roc.No.9581/07/PA-2 dated 18.05.2007 on the file of the 3rd respondent herein and quash the same insofar as the petitioner herein and consequently direct the 1st respondent herein to forthwith pay notional benefits viz. difference in salary in the post of Assistant, Extension Officer, Deputy Block Development Officer, Block Development Officer and Assistant Director based on the notional promotion granted to the petitioner by the respondents 1 and 3 herein with due interest till the date of



actual payment. (Prayer amended vide order dated 17.11.2021 made in WMP.No.20808 of 2020 in WP.No.25621 of 2007)

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For Petitioner	:	Mr.V.R.Rajasekaran
For R1 to R4	:	Mr.Veda Bagath Singh, Special Government Pleader
For R5	:	No Appearance

ORDER

With the consent of both the parties, this writ petition is taken up for final disposal.

2. The petitioner herein had earlier joined the services of Agriculture Department as a Village Level Worker and subsequently transferred as Gramasevak Grade-II in the Rural Development Department. When a anomaly arose in the seniority of the petitioner with the other employees, orders were passed by the Tamil Nadu Administrative Tribunal, which ultimately was dealt with by an Hon'ble Division Bench of this Court in a batch of writ petitions in W.P.Nos.19960 to 19962 of 1998, etc., dated 19.04.2005 in the case of Tamil Nadu Government (Converted) RWO Association Vs. The State of Tamil Nadu, Rural Development Department and others, whereby the authorities were directed to fix the seniority of the employees, such as the petitioner herein, in accordance with the law laid down in that judgment with retrospective effect from the date on which their seniority ought to have been fixed, but for the order of the Tribunal.

3. In accordance with the orders of the Hon'ble Division Bench, the seniority list was appropriately revised and the petitioner herein was granted with a notional promotion to the posts of Assistant, Extension Officer, Deputy Block Development Officer, Block Development Officer and Assistant Director and thereafter, his pay scales were also revised.

4. When the petitioner had reached the age of superannuation, he was permitted to retire and all the benefits, in accordance with the notional promotions extended to him. However, the respondents had not paid the difference of salaries from the date on which the notional promotion was granted to him for the aforesaid posts. Claiming difference in the salaries for the respective posts, the present writ petition has been filed.

5. The learned counsel for the petitioner submitted that since the Hon'ble Division Bench of this Court had directed for revision of the seniority list and notional promotion with



difference of wages for the posts, to which they were notionally promoted, the seniority list, which was furnished about 15 years back, need not be disturbed at this point of time and also since the petitioner had reached the age of superannuation. This Court is of the view that while the respondents pass an order on the petitioner's representation, they shall also take into account the decisions cited above, for the purpose of payment of interest.

11. In the light of the above observations, the petitioner is granted liberty to give a representation to the first respondent herein, seeking for difference in salaries and allowances, together with interest, to the posts of Assistant, Extension Officer, Deputy Block Development Officer, Block Development Officer and Assistant Director and on receipt of such a representation, the first respondent shall consider the same, in the light of the observations made in this order and pass appropriate orders, within a period of three (3) months from the date of receipt of such a representation.

12. Accordingly, the Writ Petition stands allowed. No costs.

Sd/-
Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

hvk

To

1. The Secretary to Government,
State of Tamil Nadu,
Rural Development Department,
Secretariat, Chennai - 600 009.
2. The Director of Rural Development,
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Chennai - 600 015.
3. The District Collector,
Tiruvallur District, Tiruvallur.
4. The District Collector,
Kancheepuram District, Kancheepuram.

W.P.No.25621 of 2007

RGN(CO)
RLP(24/03/2022)