



W.P.No.4621 & 4624 of 2020

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 5.7.2022

CORAM

THE HONOURABLE Mr.JUSTICE D.KRISHNAKUMAR

**W.P.No.4621 & 4624 of 2020**

|   |              |     |                                   |
|---|--------------|-----|-----------------------------------|
| 1 | R.P.Kannan   | ... | Petitioner in W.P.No.4621 of 2020 |
| 2 | R.Thangavelu | ... | Petitioner in W.P.No.4624 of 2020 |

Vs.

- 1 The Principal Secretary/Commissioner,  
Treasury and Accounts Department,  
Integrated Finance Dept. Complex,  
Amma Valagam, Veterinary Hospital,  
Complex 571 Anna Salai, Nanthanam,  
Chennai.
- 2 The Director,  
O/o The Directorate of School Education,  
DPI Complex, College Road, Chennai 6. ... Respondents in both W.Ps
- 3 The Regional Joint Director,  
Treasury and Accounts Department,  
Coimbatore 641001. ... Respondent in WP 4621/2020
- 4 The Regional Accounts Officer (Audit),  
School Education Department,  
Coimbatore 641001.
- 5 The District Treasury Officer,  
District Treasury, Coimbatore. ... Respondents in both W.Ps.

**Prayer in W.P.No.4621 of 2020**

The Writ Petition is filed under Article 226 of the Constitution of India, seeking for a Writ of Mandamus, directing the 1st respondent to consider petitioner's representation dated 26.11.2019 and pass necessary



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orders for payment of revised pension to petitioner at Rs.10,650/- corresponding to selection grade pay scale applicable to superintendants in the pay scale of Rs.15 600-37 400 plus grade pay Rs.5700 with effect from 1.8.2010 together with applicable allowances and also for repayment of amount already recovered from petitioner.

**Prayer in W.P.No.4624 of 2020**

The Writ Petition is filed under Article 226 of the Constitution of India, seeking for a Writ of Mandamus, directing the 1st respondent to consider petitioner's representation dated 26.11.2019 and pass necessary orders for payment of revised pension to petitioner at Rs.10,650/- corresponding to Selection Grade pay scale applicable to Superintendants in the pay scale of Rs.15,600-37,400 plus Grade pay Rs.5700/- with effect from 1.8.2010 together with applicable allowances and also for repayment of amount already recovered from petitioner.

For Petitioners in both W.Ps. : Mr.R.Rengaramanujam  
For Respondents in both W.Ps.: Mr.T.Chezhiyan, A.G.P.

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**COMMON ORDER**

The prayer sought for in both the writ petitions as well as the respondents in both the writ petitions are one and the same, the writ petitions are being disposed of by a common order.

2. According to the petitioners, the petitioners were retired as a Selection Grade Superintendent in the School Education Department on 30.4.2004 and 31.3.1999 respectively. Based on G.O.Ms.No.235 dated 1.6.2009 the pension of the petitioners was revised and refixed at Rs.10,650/- from 1.8.2010 in the scale of pay of Rs.15,600 - 37,400 + 5700 (Grade Pay). However, during April 2013, the 5<sup>th</sup> respondent informed the



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petitioners that an audit objection was made with regard to their revised pension and the same should have been restricted to the ordinary scale applicable to the post of P.A. to D.E.O. which according to audit objection is a promotional post and consequently, fixing revised pension corresponding to Selection Grade pay applicable to Superintendent is wrong. Though petitioners made several representations to the first respondent requesting him to pass necessary orders for continuation of revised pension, no order has been passed by the first respondent. Hence, the petitioners have filed the instant writ petition before this Court for the aforesaid prayer.

3. Considering the limited scope of prayer sought for by the petitioner, this Court is inclined to direct the first respondent to consider the representation of the petitioners, dated 26.11.2019 and pass appropriate orders on merit and in accordance with law, as expeditiously as possible preferably within a period of 12 weeks from the date of receipt of copy of this order. The petitioner shall enclose the copy of the said representation along with the order.

4. Accordingly, the writ petition stands disposed of with the above directions. No Costs.

**5.7.2022**



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**D.KRISHNAKUMAR,J.**

WEB COPY

vaan

Speaking / Non-Speaking order

Index:Yes/No

vaan

To

- 1 The Principal Secretary/Commissioner,  
Treasury and Accounts Department, Integrated Finance Dept. Complex,  
Amma Valagam, Veterinary Hospital, Complex 571 Anna Salai,  
Nanthanam, Chennai.
- 2 The Director,  
O/o The Directorate of School Education, DPI Complex,  
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- 3 The Regional Joint Director,  
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