



WEB COPY

W.P.No. 11491 of 2019



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.11.2022

CORAM

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No. 11491 of 2019

T. R. Prem Kumar

... Petitioner

Vs.

1. The State of Tamil Nadu,
Represented by the Secretary,
Higher Education,
Fort St. George, Chennai – 9.
2. The Commissioner of Technical Education,
Gandhimandapam Road, Chennai – 600 025.
3. The Executive Director,
Tamil Nadu Science and Technology Centre,
Gandhimandapam Road, Chennai – 600 025.
4. The Pension Officer,
Office of the Accounts General (A&E),
PAO South, Chennai – 600 018

... Respondents

Prayer : Writ Petition filed Under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the third and fourth respondents to calculate the petitioner's pension amount based on the Tamil Nadu Revised Scales of Pay, 2009 at Rs. 4400/- dated 08.11.2010 and pay the sum of Rs. 4,56,866/- (Four Lakh Six Thousand Eight Hundred and Sixty Six Only) being settlement due to the petitioner on the retirement.



For Petitioner : No appearance

For Respondents : Mr. A. Anandan
Government Advocate
for R1 and R2
M/s. Ilamvaludhi
for R3
Mrs. T. Selvarani
for R4

ORDER

The relief sought for the present writ petition is to direct the respondents 3 and 4 to calculate the petitioner's pension amount based on the Tamil Nadu Revised Scales of Pay, 2009 at Rs. 4400/- dated 08.11.2010 and pay the sum of Rs. 4,56,866/- (Four Lakh Six Thousand Eight Hundred and Sixty Six Only) being settlement due to the petitioner on the retirement.

2. The petitioner filed the writ petition after his retirement. He was initially appointed as an Office Assistant and his services were confirmed in the cadre of office Assistant cum Driver with effect from 22.12.1987.

3. The grievances of the writ petitioner are that his pension was not revised based on the Tamil Nadu Revised Scales of Pay 2009. Therefore, he made a representation to the authorities competent, which was not



considered.

WEB COPY

4. The learned counsel appearing on behalf of the third and fourth respondents made a submission that the petitioner was issued with an order of recovery on 28.10.2015 in respect of the excess salary paid to him and accordingly the excess amount was recovered and the order issued by the competent authorities was not challenged by the writ petitioner.

5. The petitioner was allowed to retire from service in the year 2017 and after a lapse of two years from the date of retirement, the present writ petition has been filed seeking revision of pension.

6. The learned counsel for the respondent made a submission that the revision of pension was already granted to the writ petitioner in accordance with the rules in force and therefore the prayer itself is not entertainable.

7. The learned counsel appearing on behalf of the Accountant General made a submission that the issues were already decided by the Hon'ble Division Bench of this Court and based on the decision, the revision of pension was granted to all the eligible employees including the petitioner



and thus, no further adjudicated is required. If any grievance exist, the petitioner is at liberty to approach the competent authorities. Accordingly, the writ petition stands dismissed. No costs.

18.11.2022

mrn

Index : Yes / No

Speaking order / Non-Speaking order

To

1. The Secretary,
The State of Tamil Nadu,
Higher Education,
Fort St. George, Chennai – 9.
2. The Commissioner of Technical Education,
Gandhimandapam Road, Chennai – 600 025.
3. The Executive Director,
Tamil Nadu Science and Technology Centre,
Gandhimandapam Road, Chennai – 600 025.
4. The Pension Officer,
Office of the Accounts General (A&E),
PAO South, Chennai – 600 018



WEB COPY

W.P.No. 11491 of 2019



S.M.SUBRAMANIAM, J.

mrn

W.P.No. 11491 of 2019

18.11.2022



WEB COPY

W.P.No. 11491 of 20

