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W.P.No.28843 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:01.11.2022

CORAM:

THE HONOURABLE MR.JUSTICE ABDUL QUDDHOSE

**W.P.No.28843 of 2022 &
W.M.P.No.28130 of 2022**

1.R.Lakshmanan
2.A.Mallinathan
3.V.Thiagarajan
4.T.A.Murthy
5.S.Palani

... Petitioners

VS.

1.The Managing Director
Tamil Nadu Water Supply and Drainage Board,
No.31, Kamarajar Salai,
Chepauk,
Chennai - 600 005.

2.Additional Chief Secretary to Government,
Municipal Administration and Water Supply Department,
St. George Fort,
Chennai - 600 009.

3.Additional Chief Secretary to Government,
Finance Department,
St. George Fort,
Chennai - 600 009.

... Respondents



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Prayer: Writ petition filed under Article 226 of the Constitution of India for writ of Mandamus directing the first respondent to consider and pass orders on the representation of the petitioners dated 03.10.2022 and to pay the increased Dearness Allowance from 17% to 31% with effect from 01.01.2022 instead of 01.10.2022 as per G.O.Ms.No.06 Finance (Pension) Department dated 01.01.2022 and consequently direct the respondents to pay increase of 3% Dearness Allowance with effect from 01.07.2022 vide G.O.Ms.257 Finance (Pension) Department dated 18.08.2022 as ordered to other Government Pensioners.

For Petitioners : Ms.C.Uma

For Respondents 1 & 3 : Mr.M.Shahjahan,
Special Government Pleader

For Respondent 2 : Mr.V.Ravi,
Special Government Pleader

ORDER

This writ petition has been filed for a mandamus seeking for a direction to the respondents to pass final orders on the petitioner's representation dated 03.10.2022 seeking for payment of increased Dearness Allowance from 17% to 31% with effect from 01.01.2022 instead of 01.10.2022 as per G.O.Ms.No.6 Finance (Pension) Department dated 01.01.2022 and consequently, direct the respondents to pay increase of 3%



Dearness Allowance with effect from 01.07.2022 vide G.O.Ms.No.257 Finance (Pension) Department dated 18.08.2022 as ordered to other Government pensioners within a time frame to be fixed by this Court.

2. Mr.M.Shahjahan, learned Special Government Pleader accepts notice on behalf of the respondents 1 & 3 and Mr.V.Ravi, learned Special Government Pleader accepts notice on behalf of the second respondent.

3. The petitioners claim that as per G.O.Ms.No.6 Finance (Pension) Department dated 01.01.2022, they are entitled for payment of increased Dearness Allowance from 17% to 31% with effect from 01.01.2022 instead of 01.10.2022. The petitioners also claim that as per G.O.Ms.No.257 Finance (Pension) Department dated 18.08.2022, they are also entitled for increase of 3% Dearness Allowance with effect from 01.07.2022. The petitioners have given a representation on 03.10.2022 seeking for the aforementioned reliefs. Since the representation has not been considered till date, they have filed this writ petition.

4. Heard Ms.C.Uma, learned counsel for the petitioners,



Mr.M.Shahjahan, learned Special Government Pleader appearing for the respondents 1 & 3 and Mr.V.Ravi, learned Special Government Pleader appearing the second respondent.

5. No prejudice would be caused to the respondents, if the petitioners' representation is considered on merits and in accordance with law within a time frame to be fixed by this Court.

6. For the foregoing reasons, this Court directs the first respondent to pass final orders on the petitioners' representation dated 03.10.2022 seeking for payment of increased Dearness Allowance from 17% to 31% with effect from 01.01.2022 instead of 01.10.2022 as per G.O.Ms.No.6 Finance (Pension) Department dated 01.01.2022 and also directs the first respondent to pay increase of 3% Dearness Allowance with effect from 01.07.2022 as per G.O.Ms.No.257 Finance (Pension) Department dated 18.08.2022 as ordered to other Government pensioners within a period of twelve weeks from the date of receipt of a copy of this Order.

7. With the aforesaid direction, this writ petition is disposed of. No



costs. consequently, connected miscellaneous petition is closed.

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Index:Yes/No

Speaking/Non-speaking orders

To

- 1.The Managing Director
Tamil Nadu Water Supply and Drainage Board,
No.31, Kamarajar Salai,
Chepauk, Chennai - 600 005.
- 2.Additional Chief Secretary to Government,
Municipal Administration and Water Supply Department,
St. George Fort,
Chennai - 600 009.
- 3.Additional Chief Secretary to Government,
Finance Department,
St. George Fort,
Chennai - 600 009.

ABDUL QUDDHOSE, J.



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