



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:01.12.2022

CORAM:

THE HONOURABLE MR.JUSTICE ABDUL QUDDHOSE

W.P.No.32235 of 2022

Tamil Nadu Kudineer Vadikal Variya Oyvutiyarkal
Matrum Kudumba Oyvuthiyarkal Nala Sangam,
Old No.6/2, New No.15, Murugappa Street,
Ice House, Triplicane,
Chennai - 600 005,
Rep. by its General Secretary,
Pon.Arumugam
S/o.Ponnisammy Goundar

... Petitioner

VS.

1.The State of Tamil Nadu,
Rep. by its Additional Chief Secretary to Government,
Municipal Administration and Water Supply Department,
Fort St. George, Secretariat,
Chennai - 600 002.

2.The Managing Director,
TWAD Board,
31, Kamaraj Salai,
Chepauk, Chennai- 600 005.

... Respondents

Prayer: Writ petition filed under Article 226 of the Constitution of India for writ of Mandamus directing the respondents to sanction 14% Dearness Allowance to the pensioners and Family Pensioners of TWAD Board, as on the date of Government Order with effect from 01.01.2022 as well as 3%



revised Dearness Allowance with effect from 01.07.2022 and consequently direct the respondents to pay arrears of pensionary benefits to the Pensioners and Family Pensioners, along with interest for the delay in payment, within a time limit as prescribed by this Court.

For Petitioner : Mr.G.Sankaran

For Respondent 1 : Mr.M.Shahjahan,
Special Government Pleader

For Respondent 2 : Ms.Shakila Banu,
Standing Counsel

ORDER

This writ petition has been filed for a mandamus seeking for a direction to the respondents to sanction 14% Dearness Allowance to the pensioners and Family Pensioners of TWAD Board, as on the date of Government Order with effect from 01.01.2022 as well as 3% revised Dearness Allowance with effect from 01.07.2022 and consequently direct the respondents to pay arrears of pensionary benefits to the Pensioners and Family Pensioners, along with interest for the delay in payment, within a time frame to be fixed by this Court.

2. Mr.M.Shahjahan, learned Special Government Pleader accepts notice on behalf of the first respondent and Ms.Shakila Banu, learned



Standing Counsel accepts notice on behalf of the second respondent.

3. The petitioner's claim is that as per G.O.Ms.No.6 Finance (Pension) Department dated 01.01.2022, members of the petitioner Sangam are entitled for payment of increased Dearness Allowance from 17% to 31% with effect from 01.01.2022 instead of 01.10.2022. The petitioner Sangam also claim that as per G.O.Ms.No.257 Finance (Pension) Department dated 18.08.2022, the members of the Sangam are also entitled for increase of 3% Dearness Allowance with effect from 01.07.2022. The petitioner Sangam has given representations on 07.09.2022 and 19.11.2022 seeking for the aforementioned reliefs. Since the representations have not been considered till date, the petitioner Sangam has filed this writ petition.

4. Heard Mr.G.Sankaran, learned counsel for the petitioner, Mr.M.Shahjahan, learned Special Government Pleader appearing for the first respondent and Ms.Shakila Banu, learned Standing Counsel appearing for the second respondent.

5. No prejudice would be caused to the respondents, if the petitioner's representations are 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 petitioner's representations dated 07.09.2022 and 19.11.2022 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.

01.12.2022

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Index:Yes/No

Speaking/Non-speaking orders



To

WEB COPY

1. The Additional Chief Secretary to Government,
State of Tamil Nadu,
Municipal Administration and Water Supply Department,
Fort St. George, Secretariat,
Chennai - 600 002.
2. The Managing Director,
TWAD Board,
31, Kamaraj Salai,
Chepauk, Chennai- 600 005.



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ABDUL QUDDHOSE, J.
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