



IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 24.02.2022

CORAM

WEB COPY

THE HON'BLE MR. JUSTICE P.D. AUDIKESAVALU
W.P. No. 3524 of 2017
and
W.M.P. No. 3541 of 2017

R.Malliga

... Petitioner

-vs-

1. The Secretary,
Chennai Port Trust,
Chennai - 600 001.

2. The Traffic Manager,
Chennai Port Trust,
Chennai - 600 001.

... Respondents

Prayer:- Writ Petitions filed under Article 226 of the Constitution of India, 1950, praying to issue a Writ of Mandamus, forbearing the Respondents from reducing the salary of the Petitioner and also from recovering Rs. 2,573/- from the salary of the Petitioner in any manner except in a manner known to law and direct the Respondents to continue to pay Rs. 410/- being the family planning increment with effect from November 2016 onwards to till date and to refund the amount illegally recovered from the salary of the Petitioner.

For Petitioner : Mr. S.Selvathirumurugan

For Respondents : Mr. Haja Mohideen Gisthi,
Standing Counsel

O R D E R

Heard Mr. S.Selvathirumurugan, Learned Counsel for the Petitioner and Mr. Haja Mohideen Gisthi, Learned Standing Counsel appearing for the Respondents and perused the materials placed on record, apart from the pleadings of the parties.

2. The Writ Petition has been filed to forbear the Respondents from reducing the salary of the Petitioner and recovering Rs. 2,573/- from the salary of the Petitioner in any manner except in a manner known to law and to consequently direct the Respondents to continue to pay Rs. 410/- towards family planning increment from November 2016 onwards and to refund the amount illegally recovered from the salary of the Petitioner.



3. It has been brought to notice by Learned Standing Counsel appearing for the Respondents that in furtherance to the decision of this Court in B.Padmavathy -vs- Secretary, Chennai Port Trust (Order dated 17.12.2020 in W.P. No. 35436 of 2016) in respect of a person similarly placed to the Petitioner, the family planning increment recovered from the employees along with family planning allowance has been paid to fifty serving employees during August 2021 and September 2021 and for the retired employees, payment has been made through pension for the months of October 2021 and November 2021. It is further informed that family planning allowance has been discontinued as per wage revision settlement dated 30.08.2018 (with effect from 01.01.2017). In view of the same, it has been confirmed that a sum of Rs. 7,719/- (FP recovered amount) along with family planning increment for the period from November 2016 to June 2017 (upto the date of retirement on 30.06.2017) has been refunded to the Petitioner through pension for the month November 2021. In view of the aforesaid subsequent events after the filing of the Writ Petition, nothing remains for further consideration in this Writ Petition.

In the result, the Writ Petition is disposed. Consequently, the connected Miscellaneous Petition is closed. No costs.

Sd/-
Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

vjt
To

1. The Secretary,
Chennai Port Trust,
Chennai - 600 001.
2. The Traffic Manager,
Chennai Port Trust,
Chennai - 600 001.

W.P. No. 3524 of 2017

AD(CO)
A.SK(11/03/2022)