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W.P.No.27774 of 2017

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.11.2022

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THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No.27774 of 2017

J.Soudarani

...Petitioner

Vs.

1.The Joint Director (Establishment)
Directorate of School Education,
College Road, Chennai – 600 006.

2.The Headmaster,
Government Girls Higher Secondary School,
Polur, Thiruvannmalai District.

..Respondents

Prayer : Writ Petition filed Under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, calling for the records pertaining to the impugned order in O.Mu.No.59530/C2/E1/2017 dated 24.08.2017 passed by the 1st respondent, quash the same and consequently direct the respondents to sanction an increment taking into one year of service rendered by the petitioner from 01.10.1998 to 30.09.1999 and revise the pension to the petitioner.

For Petitioner : Mr.S.Gopinath
For Mr.M.Muthupandian

For R1 & R2 : Mr.S.Yashwanth
Additional Government Pleader



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ORDER

It is brought to the notice of this Court that the Government issued orders in G.O.Ms.No.98, Human Resources Management (FR.II) Department dated 21.09.2021, amending Rule 26-A of the Fundamental Rules.

2. The said amendment was issued pursuant to the orders of this Court, granting the benefit of notional increment to the petitioners, who retired on superannuation on the preceding day of annual increment due date. In view of the said Government order, the petitioner is also entitled for the benefit of annual increment since he attained the age of superannuation on the preceding day of annual increment due to him.

3. In this view of the matter, the order impugned passed by the first respondent in proceedings in O.Mu.No.59530/C2/E1/2017 dated 24.08.2017 is quashed. The respondents are directed to grant the benefit of annual increment to the writ petitioner based on G.O.Ms.No.98, Human Resources Management (FR.II) Department dated 21.09.2021. The said



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exercise is directed to be done within a period of eight weeks from the date of receipt of a copy of this order.

4. With these directions, the writ petition stands allowed. No costs.

28.11.2022

Index : Yes
Speaking order :Yes
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To

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S.M.SUBRAMANIAM, J.

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