



W.P.(MD)No.2696 of 2020

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:15.12.2022

CORAM:

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.(MD)No.2696 of 2020

M.Santhadevi

... Petitioner

Vs.

1.The State of Tamil Nadu,
Rep. by its Principal Secretary to Government,
Rural Development Department,
Fort St. George,
Chennai – 600 009.

2.The Director of Rural Development and
Panchayatraj Department,
Panagal Building,
Saidapet,
Chennai – 600 015.

3.The Principal Account General,
(Accounts & Entitlements) Tamil Nadu,
361, Ann Salai,
Chennai 600 018.

4.The District Collector,
Pudukkottai,
Pudukkottai District.

... Respondents



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Prayer: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents to pay the increments for the undergone training period in the post held by the petitioner's husband as on 30.07.1992 continuously up to date of retirement of the petitioner's husband and consequently take into account the said increments in the pensionary benefits and in the monthly pension of the petitioners with all monetary and other benefits within a time frame fixed by this Court.

For Petitioner	: Mr.R.J.Karthick
For R-1, R-2 & R-4	: Mr.K.Christy Theboral, Additional Government Pleader
For R-3	: Ms.S.Mahalaakshmi

ORDER

This writ petition has been filed for a direction to the respondents to pay the increments for the undergone training period in the post held by the petitioner's husband as on 30.07.1992 continuously up to date of retirement of the petitioner's husband and consequently take into account the said increments in the pensionary benefits and in the monthly pension of the petitioners with all monetary and other benefits within a time frame fixed by this Court.



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2. The case of the petitioner is that the petitioner's husband namely late.L.Mani was appointed as Grama Sevak Grade II. From 16.04.1962 to 15.04.1964, he had undergone training for the said post of Rural Welfare Officer. After completion of training, he was appointed as Rural Welfare Officer Grade-II in Karambakudi Panchayat Union. Thereafter, he was promoted as Deputy Block Development Officer and on 30.09.1996, he was permitted to retire from service on superannuation. Thereafter, he passed away on 25.03.1999.

3. It is the further case of the petitioner that as per G.O.(Ms)No.535, Rural Development Department, dated 10.07.1986, orders were issued to the effect that the Rural Welfare Officers, would be eligible to count the period of training undergone by them for the purpose of probation and increment. Further, taking note of the various Government Orders, the first respondent passed G.O.(Ms)No.164 Rural Development (E4) Department, dated 30.07.1992, permitting to count the training period of Rural Welfare Officers for probation and increment. In order to avail such benefit, the petitioner has made a representation to the



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respondents on 22.02.2018. However, no order was passed till date. Hence, the petitioner has filed this writ petition with the aforesaid prayer.

4. The learned counsel appearing for the petitioner would submit that it would suffice, if the fourth respondent is directed to dispose of the representation of the petitioner, dated 22.02.2018, on merits and in accordance with law, within a specified period.

5. The learned Additional Government Pleader appearing for the respondents 1, 2 and 4, would submit that if the husband of the petitioner comes within the ambit of G.O.Ms.No.85, Rural Development and Panchayat Raj (PA4) Department, dated 11.09.2012, the representation of the petitioner will be considered.

6. Considering the limited request made by the learned counsel for the petitioner, this Court, without going into the merits of the matter, directs the fourth respondent to consider the petitioner's representation, dated 22.02.2018 and pass appropriate orders, on merits and in



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accordance with law, within a period of six weeks from the date of receipt of a copy of this order, if the petitioner's husband comes within the ambit of G.O.Ms.No.85, Rural Development and Panchayat Raj (PA4)Department, dated 11.09.2012.

7. With the above direction, this Writ Petition is disposed of.

No costs.

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pm

Index:Yes/No



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M.DHANDAPANI,J.

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