



W.P.(MD)No.27984 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 13.12.2022

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

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1. V.Rathinasabapathi
2. P.Subash Chandra Bose
3. G.Devaraju
4. G.Irin Raj
5. K.Palaniappan
6. P.Ayyanar
7. S.Anji
8. T.Kandavelu
9. A.Murugan
10. A.Selvarajan

... Petitioners

Vs.

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



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

... Respondents

PRAYER : Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Mandamus, directing the first respondent 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 by considering petitioners representation dated 06.12.2022 within the time frame as fixed by this Court.

For Petitioners : Mr.R.Vimalraj

For Respondents : Mrs.K.Christy Theboral
Additional Government Pleader

ORDER

This Writ Petition has been filed for a direction to the first respondent 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



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(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, by considering the petitioners representation dated 06.12.2022.

2. The case of the petitioners is that the petitioners were pension holders under Tamil Nadu Water Supply and Drainage Board (hereinafter referred to as 'the Board'). As per the Government Order in G.O.Ms.No.06, Finance (Pension) Department dated 01.01.2022, the Government has increased the Dearness Allowances for the Government pensioners from 17% to 31% and the same has not been provided to the petitioners. The petitioners are not aware of the Government Order issued in G.O.Ms. No.257, Finance (Pension) Department, dated 18.08.2022 for further increase of Dearness Allowance by 3% with effect from 01.07.2022. Hence, they made a representation to the respondents on 06.12.2022. But, till date, no order was passed. Therefore, the petitioners have filed the present Writ Petition with the aforesaid prayer.



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3. The learned counsel appearing for the petitioners would submit that it would suffice, if the first respondent is directed to dispose of the representation of the petitioners, dated 06.12.2022, on merits and in accordance with law, within a specified period.

4. The learned Additional Government Pleader appearing for the respondents has no serious objection for such an order being passed by this Court.

5. Considering the limited request made by the learned counsel for the petitioners, this Court, without going into the merits of the matter, directs the first respondent to consider the petitioners' representation, dated 06.12.2022 and pass appropriate orders, on merits and in accordance with law, within a period of twelve weeks from the date of receipt of a copy of this order.



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costs.



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6. With the above direction, this Writ Petition is disposed of. No

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(2/2)

Index : Yes / No

Speaking Order : Yes / No

vji

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M.DHANDAPANI, J.

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