



W.P.No.25239 of 2007

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.08.2023

CORAM

THE HONOURABLE MR.JUSTICE **G.K.ILANTHIRAIYAN**

**W.P.No.25239 of 2007**

1. K.Murugan
2. K.V.Pushpal
3. S.Hamsavalli
4. G.Natarajan
5. S.Gomathi
6. M.Kaliaperumal
7. A.Sebastian
8. G.K.S.Venkatakrishtnasamy
9. S.Philominathan
10. V.Rajalakshmi
11. A.Arumugam
12. C.Rajamanickam
13. S.Krishnamoorthi
14. G.Krishnan
15. R.Mangammal
16. C.Kaveri
17. T.M.Chinnasamy
18. V.Govindammal
19. R.Vasanth
20. K.M.Mohamad Jagariya
21. P.Kuppammal
22. Arumainathan

... Petitioners

-Vs-



W.P.No.25239 of 2007

1. The Government of Tamil Nadu  
represented by The Secretary,  
Finance (P) Department,  
Fort St.George, Chennai-9.

2. Director of Local Fund Authority,  
Department Local Fund Authority,  
Fort St.George,  
Chennai-9.

... Respondents

**Prayer:-** Writ Petition filed under Article 226 of Constitution of India praying for the issuance of Writ of Mandamus, directing the respondent to extend the implementation of G.O.Ms.No.272, Finance (P) Department dated 15.06.1998 to all the petitioners with all consequential pensionary benefits with arrears.

For Petitioners : No appearance

For R1 : Dr.T.Seenivasan  
Special Government Pleader

### **ORDER**

This Writ Petition has been filed for direction directing the respondents to extend the implementation of G.O.Ms.No.272, Finance (P) Department dated 15.06.1998 to all the petitioners with all consequential pensionary benefits with arrears.

2. There is no representation on behalf of the petitioner. Heard the learned Special Government Pleader for the first respondent and perused the materials available on record.



W.P.No.25239 of 2007

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3. The petitioners are family pensioners and the legal heirs of the pensioners. The Government of Tamil Nadu accepted the recommendation of the Commission and passed orders for giving effect to the recommendation with effect from 01.10.1984 and directed that in the case of Government servants who would be retiring on or after 01.10.1987, the Dearness Allowance sanctioned upto 01.10.1987 shall be reckoned as Dearness Pay for the purpose of pension and based on it, the employees retired on or after 30.09.1987 to 30.06.1990 were allowed to get their pension converted on pay of Dearness Allowance sanctioned upto 01.10.1987. However, it was not given to others who retired after 01.10.1990. The persons who were retired subsequently from 01.01.1988 to 31.12.1995 have been sanctioned only partial Dearness Pay benefits, resulting in Dearness Pay loss. The petitioners had already crossed the age of 70. Now they submitted the representation to revise the pensionary benefits and to extend the same to the petitioners.

4. Therefore, the prayer sought for in this writ petition cannot be considered and this writ petition is devoid of merits and is liable to be



W.P.No.25239 of 2007

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dismissed. Accordingly, this writ petition stands dismissed. There shall be no order as to costs.

29.08.2023

Internet : Yes

Index : Yes/No

Speaking order/Non-speaking order  
mn



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W.P.No.25239 of 2007

**G.K.ILANTHIRAIYAN, J.**

mn

To

1. The Secretary,  
The Government of Tamil Nadu  
Finance (P) Department,  
Fort St.George, Chennai-9.
2. Director of Local Fund Authority,  
Department Local Fund Authority,  
Fort St.George,  
Chennai-9.

W.P.No.25239 of 2007

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