



W.P.No.5786 of 2015

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12.09.2023

CORAM:

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

W.P.No.5786 of 2015

M.Venkatesan

... Petitioner

Vs.

1.The Government of Tamilnadu

Represented by its Principal Secretary,
Finance(T&A-I) Department,
Fort St.George, Chennai-9

2.The Commissioner of Treasuries and Accounts,
Panagal Buildings, Chennai 600 015

... Respondents

PRAYER: Writ Petition is filed under Article 226 of Constitution of India praying to issue Writ of Certiorarified Mandamus calling for the records relating to the second respondent herein in Rc, No.34328 /10/N1 dated 30.06.2011 insofar as not conferring the monetary benefits from the date of promotion on par with petitioner Junior Mr. Pakkeri is concerned and also call for the records relating to the second respondent herein in RC.47468/11/N2 dated 10.2.2012 insofar as not including the petitioner's name in the promotion panel for the post of Assistant Treasury Officer for the year 2009-10 and not conferring the monetary benefits from the date of promotion on par with petitioner's Junior Mr. Pakkeri is concerned and quash the same and consequently direct the second respondent herein to confer the monetary benefits in the



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promotion post of Sub-Treasury Officer from the date on which the petitioner junior Mr.Pakkeri was conferred and to include the name of the petitioner in promotional panel for the post of Assistant Treasury Officer for year 2009-10 above the petitioner's Junior Mr.Pakkeri and confer the consequential monetary benefits from the date of conferring the promotion post of Assistant Treasury Officer.

For Petitioner : Mr.R.S.Anandan

For Respondents : Mr.L.S.M.Hasan Fizal,
Additional Government Pleader

ORDER

This writ petition has been filed challenging the orders of the second respondent dated 30.06.2011 and 10.02.2012 and to direct direct the second respondent herein to confer the monetary benefits in the promotion post of Sub-Treasury Officer from the date on which the petitioner's junior, one, Pakkeri was conferred and to include the name of the petitioner in promotional panel for the post of Assistant Treasury Officer for year 2009-10 above the petitioner's junior Pakkeri and confer the consequential monetary benefits from the date of conferring the promotion post of Assistant Treasury Officer.



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2. Heard, the learned counsel appearing on either side.

3. On perusal of counter filed by the second respondent revealed that while pending the writ petition, the petitioner's name was included in the panel of Superintendent / Sub Treasury Officer for the year 2006-2007 by the second respondent's proceedings dated 30.06.2011 at serial No.126(a)/2006-2007 and above the name of one, S.Pakkiri and below the name of one, P.Ravishankar. Again, the petitioner was included in the panel of Assistant Treasury Officer /Senior Superintendent for the year 2009-2010 above the name of the said Pakkiri and below the name of one, M.Soundarrajan at panel serial No.113(a). Therefore, the prayer sought for in this writ petition has been complied with by the second respondent by its communication dated 02.02.2016. Accordingly, the name of the petitioner has been included notionally in the panel of Assistant Treasury Officer / Senior Superintendent for the year 2009-2010 and his pay has been fixed notionally as per Rule 17 of Fundamental Rules 27.



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4. However, so far the petitioner was not disbursed with any arrears. Considering the same, the respondents are directed to disburse the arrears of pension from the date of his retirement i.e. 30.04.2011 within a period of twelve weeks from the date of receipt of copy of this order.

5. With the above direction, this writ petition is disposed of. There shall be no order as to costs.

12.09.2023

Internet: Yes
Index: Yes/No
Speaking/Non-speaking order
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To

- 1.Principal Secretary,
The Government of Tamilnadu
Finance(T&A-I) Department,
Fort St.George, Chennai-9
- 2.The Commissioner of Treasuries and Accounts,
Panagal Buildings, Chennai 600 015
- 3.The Government Advocate,
High Court, Madras.



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G.K.ILANTHIRAIYAN, J.

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