



WEB COPY



WP.No.23392 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.08.2023

CORAM

THE HONOURABLE MR. JUSTICE N.SATHISH KUMAR

WP.No.23392 of 2023

A.Chinnappan

.. Petitioner

Versus

1.The Secretary to the Government
Home (Police 4) Department
Fort St.George, Chennai – 9

2.The Director General of Police
Dr.Radhakrishnan Salai
Mylapore, Chennai – 9

3.The Superintendent of Police
Cuddalore District, Cuddalore

4.The Accountant General (A&E)
Teynampet, Chennai – 18

5.The District Collector
Cuddalore District, Cuddalore

.. Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondents to consider and pass orders on the representation made by the petitioner dated 28.02.2023 for grant two increments based on the FR 22(b) fundamental rule and based on the government order issued in G.O.Ms.No.13, Home (Police) V Department dated 6.1.2010 wherein the petitioner upgradation was advanced in the post of Grade I Police Constable as well as Head Constable and consequently to revise the scale of pay drawn by the petitioner and fix his pension on the basis on the revised pay of scale as Rs.19,570/- draw disperse arrears of salary and pension.



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For Petitioner : Mr.K.Venkatramani, Senior Counsel
for Mr.M.Muthappan

For Respondents : Mr.P.Baladhandayutham for R1 to 3 & 5
Special Government Pleader
Mr.S.Balaji for R4

ORDER

This Writ Petition has been filed seeking to direct the respondents to consider and pass orders on the representation made by the petitioner dated 28.02.2023 for grant of two increments based on the FR 22(b) Fundamental Rule and based on the Government Order issued in G.O.Ms.No.13, Home (Police) V Department dated 6.1.2010 wherein the petitioner upgradation was advanced in the post of Grade I Police Constable as well as Head Constable and consequently to revise the scale of pay drawn by the petitioner and fix his pension on the basis on the revised pay of scale as Rs.19,570/- draw, disperse arrears of salary and pension.

2. It is the case of the writ petitioner that even though the Government has issued a Government Order in G.O.Ms.No.83, Home (Police V) Department dated 06.02.2019 by fixing and revising the salary as per Fundamental Rule 22(b), the petitioner is entitled for 2 increments for the advancement of the upgradation as a Grade I Constable and as well as Head Constable even though his salary was revised with basic sale of pay of



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Rs.19,570/-, however, the pension has been fixed by taking into account the last drawn salary as Rs.14,260/-. Hence, the petitioner made a representation dated 28.02.2023 in this regard, which is pending without consideration till date. Hence, this writ petition.

3. Heard both sides and perused the materials placed on record. Considering the limited relief as sought for in this writ petition, this Court is inclined to direct the respondents to consider the representation of the petitioner dated 28.02.2023 and pass appropriate orders on merits and in accordance with law within a period of three months from the date of receipt of a copy of this Order.

4. Accordingly, this writ petition stands disposed of. No costs.

16.08.2023

dhk

Index: Yes/No

Internet: Yes/No

Neutral Citation: Yes/No



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N.SATHISH KUMAR, J.

dhk

To

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