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W.P.No.26037 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.09.2023

CORAM :

THE HONOURABLE MR. JUSTICE N. SATHISH KUMAR

W.P.No.26037 of 2023

N.Umarani

... Petitioner

Vs.

1.The Director of Rural Development
and Panchayat Raj,
Chennai – 600 015.

2.The District Collector
Development Wing,
Namakkal District,
Namakkal.

3.The Block Development Officer (BP)
Rasipuram Block,
Rasipuram,
Namakkal District.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus to direct the respondents to take into account the advance increment sanctioned to the petitioner w.e.f. 01.06.2013 for passing the Accounts Test for Subordinate Officers (Part-1) and issue appropriate orders for fixing her pay in the promoted post of Assistant as on 22.02.2016 and re-fix her pay accordingly and to disburse all consequential monetary benefits, thereof, all within a limited time

frame

<https://www.mhc.tn.gov.in/judis>



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For Petitioner : Mr.M.Ravi
For R1 and R2 : Mr.P.Baladhandayutham
Special Government Pleader
For R3 : Mr.A.M.Ayyadurai
Government Advocate

ORDER

This writ petition has been filed to direct the respondents to take into account the advance increment sanctioned to the petitioner w.e.f. 01.06.2013 for passing the Accounts Test for Subordinate Officers (Part-1) and issue appropriate orders for fixing her pay in the promoted post of Assistant as on 22.02.2016 and re-fix her pay accordingly and to disburse all consequential monetary benefits, thereof, all within a limited time frame.

2.It is the case of the petitioner that she was appointed as Typist through Tamil Nadu Public Service Commission in Rural Development and Panchayat Raj Unit of The Nilgiris District on 18.02.2013 and thereafter, was transferred to Namakkal District and joined duty in the new Station on 09.09.2015 as Typist. Subsequently, the petitioner was promoted as Assistant with effect from 22.02.2016. It is the grievance of



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the petitioner that, while fixing the pay in the post of Assistant, the advance increment granted to the petitioner for passing the Accounts Test for Subordinate Officers (Part-1) was not taken into account and the petitioner has been drawing lesser pay due to wrong fixation. As per the Circular of the Director of Rural Development and Panchayat Raj, Chennai, in Na.Ka.No.7261/2014/B2, dated 10.04.2014, it was ordered that in cases of declaration of satisfactory completion of period of probation, the advance increment for passing Accounts Test for Subordinate Officers (Part-1) should not be granted prior to the order of declaration as such. However, it is the contention of the petitioner that, even prior to the issue of the above Circular, which was issued on the basis of the Government Letter No.27354/E7/2013-2, dated 23.01.2014, the advance increment for passing Accounts Test for Subordinate Officers (Part-1) was granted to the petitioner while she was working in The Nilgiris District, with effect from 01.06.2013. In this regard, the petitioner has submitted various representations on 28.03.2022, 30.06.2022, 06.07.2022, 20.07.2022 and 06.09.2022, however, the same have not been considered. Hence, the writ, seeking directions to the respondents to consider the representations submitted by the petitioner.



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3.Heard the learned counsel for the petitioner and Mr.P.Baladhandayutham, learned Special Government Pleader, who takes notice for the respondents.

4.Considering the limited nature of the relief sought for in the present writ petition, there shall be a direction to the respondents to consider the representations of the petitioner, dated 28.03.2022, 30.06.2022, 06.07.2022, 20.07.2022 and 06.09.2022, and pass appropriate orders, on merits and in accordance with law, within a period of two months from the date of receipt of a copy of this order.

5.With the above direction, this writ petition is disposed of. No costs.

05.09.2023

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Internet : Yes

Index : Yes / No

Neutral citation : Yes / No

Speaking order / Nonspeaking order



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N. SATHISH KUMAR, J.
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