



WEB COPY



W.P.No.8324 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.03.2024

CORAM:

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

W.P.No.8324 of 2024

M.Balasubramanian

...Petitioner

-Vs-

1. Union of India rep.by
Director General,
Railway Protection Force
Ministry of Railways
Railway Road
Rail Bhavan
New Delhi – 110 001.

2. Inspector General-cum-Principal
Chief Security Commissioner
Railway Protection Special Force
Force Head quarters
RPSF Lines, Daya Basti
New Delhi – 110 035.

3. Principal Financial Advisor
Office of the General Manager
Head Quarters Office
Southern Railway
Park Town,
Chennai – 600 003.

... Respondents

Prayer : Writ Petition filed under Article 226 of Constitution of India praying



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for the issuance of a Writ of Certiorarified Mandamus to call all the records leading to the issuance of (1) Order No.2019/Sec(ABE)/PEN-Misc/4/2 dated 29.05.2019 by the 1st respondent and (2) Order No.P.500/HQ/ Pension/Grievance dated 05.10.2020 by the 3rd respondent and quash and set aside the above mentioned impugned orders, consequently to direct the respondents to grant one notional increment as on 1st July of the year of the petitioner's retirement (i.e. 01.07.2013) and rework the Pensionary Benefits and other retiral benefits based on the last pay arrived at after grant of Notional Increment.

For Petitioner : Mr.R.Pandian
For Respondents : Mr.R.Subramanian
Additional Central Government
Standing Counsel for R1 & R2

ORDER

This Writ Petition has been filed challenging the order dated 29.05.2019 in Order No.2019/Sec(ABE)/PEN-Misc/4/2 passed by the first respondent, subsequent to the order dated 05.10.2020 in Order No.P.500/HQ/ Pension/Grievance passed by the third respondent, thereby rejected the request made by the petitioner seeking one notional increment for the purpose of pensionary benefits.

2. Heard Mr.R.Pandian, learned counsel appearing for the petitioner and Mr.R.Subramanian, learned Additional Central Government Standing Counsel appearing for the respondents 1 & 2 and perused the materials available on record.



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3. Though the petitioner challenged the order dated 05.10.2020 passed by the third respondent, subsequently, the petitioner submitted a representation based on the order passed by the Hon'ble Supreme Court of India in the case of *Union of India and another Vs.M.Siddaraj* in *SLP (C) No.4722 of 2021*.

4. In view of the above, the respondents are directed to consider the representation submitted by the petitioner, in the light of the order passed by the Hon'ble Supreme Court of India in SLP(C) No.4722 of 2021, and pass 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.

5. With the above direction, this Writ Petition stands disposed of. Consequently, connected miscellaneous petition is closed. No costs.

28.03.2024

Internet: Yes
Index : Yes/No
Speaking/Non Speaking order
Neutral Citation : Yes/No
Lpp

G.K.ILANTHIRAIYAN. J.

Lpp

To



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1. The Director General,
Railway Protection Force
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