



W.P.(MD)No.9791 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 23.04.2024

CORAM:

**THE HONOURABLE MS.JUSTICE R.N.MANJULA**

W.P.(MD)No.9791 of 2024 &  
W.M.P.(MD)Nos.8874 of 2024

- 1.S.Nagarathinam
- 2.K.Natarajan
- 3.R.V.Veluchamy
- 4.S.G.Karuppiah
- 5.M.Santhana Karuppiah
- 6.K.Periasamy
- 7.A.Shanmugavel
- 8.K.Panchacharam
- 9.S.Manickam
- 10.C.Thavasi
- 11.K.Venkatasubramani
- 12.N.Panchavarnam
- 13.P.Jeganathan
- 14.S.Mohan
- 15.A.Bilavaendran
- 16.K.Dharmarajan
- 17.P.Loga Subramanian
- 18.A.Karuppan
- 19.R.Adaikalam
- 20.S.Veerapadran
- 21.T.Muthukuri
- 22.M.Ramiah
- 23.M.Chandran
- 24.V.Shanmugam
- 25.G.Shyamala



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26.C.Paulraj

27.Gulabjan

... Petitioners

VS.

1.The Secretary to Government,  
Health and Family Welfare Department,  
Chennai - 9.

2.The Director of Public Health and Preventive Medicine,  
DMS Compound, Chennai - 6.

3.The Principal and Accountant General,  
Accounts and Entitlements,  
361, Anna Salai,  
Teynampet, Chennai - 18.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the respondents to re-fix the pension of the petitioners on the basis of retrospective promotion of their services in the post of Health Inspector w.e.f., 22.03.1989.

For Petitioner : Mr.C.Jeganathan

For Respondents : Mr.M.Lingadurai,  
Special Government Pleader

### **ORDER**

Heard Mr.C.Jeganathan, learned counsel for the petitioner and Mr.M.Lingadurai, learned Special Government Pleader appearing for the respondents.



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2. The petitioners have been given with notional promotion on 11.09.1995 on par with their Junior P.Balakrishnan to the post of Multipurpose Health Supervisor (subsequently changed as Health Inspector Grade I) retrospectively w.e.f., 22.03.1989. Consequently, revised scale of pay has also been fixed.

3. The grievance of the petitioners is that the impact of the promotion and the revised scale of pay have not been implemented in their pensionary benefits. The representations given by the petitioners in this regard are also pending for action.

4. Admittedly, the petitioners were given with notional promotion and their scale of pay was revised. In such circumstances, I feel that the petitioners pension is liable to be re-fixed in accordance with their revised scale of pay.

5. In view of the above stated reasons, the writ petition is **allowed** and the respondents are directed to re-fix the pension of the



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petitioners based on the notional promotion granted to them retrospectively with effect from 22.03.1989 within a period of eight weeks from the date of receipt of a copy of this order. No costs. Consequently, the connected Miscellaneous Petition is closed.

23.04.2024  
(2/2)

NCC: Yes/No  
Index : Yes/No  
Speaking/Non-Speaking order

*mbi*

To

- 1.The Secretary to Government,  
Health and Family Welfare Department,  
Chennai - 9.
- 2.The Director of Public Health and Preventive Medicine,  
DMS Compound, Chennai - 6.
- 3.The Principal and Accountant General,  
Accounts and Entitlements,  
361, Anna Salai,  
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R.N.MANJULA, J.

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