



W.P.No.2293 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED: 15.09.2025

CORAM

THE HON'BLE MR. JUSTICE T.VINOD KUMAR

W.P.No.2293 of 2022
and W.M.P.No. 2459 of 2022

J.Narayanan

... Petitioner

Vs.

1.The Additional Chief Secretary to Government
Co-operation, Food and Consumer
Protection Department
Secretariat
Chennai 600 009

2.The Registrar of Co-operative Societies
No.170, Periyar EVR High Road
Kilpauk
Chennai 600 010

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India praying to issue a writ of Certiorarified Mandamus, calling for the records pertaining to the letter No.11616/CH1/2021-2 dated 30.09.2021 passed by the 1st respondent and the consequential letter dated 07.10.2021 in Rc.No.83796/2018/P1 by the 2nd respondent herein and quash the same and further direct the respondents to revise the scale of pay as per recommendation of 7th pay commission to the petitioner.



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For Petitioner : Mr.S.Janarthanan
For Respondents : Mr.V.Umakanth
Government Advocate

ORDER

Heard learned counsel for the petitioner and learned Government Advocate for respondents.

2. The petitioner by the present writ petition has assailed the action of the respondents in not extending the benefit of 7th Pay Revision Commission which has been notified by the Government vide G.O.Ms.No.234, Finance (Pay Cell) Department, dated 01.06.2009 with effect from 01.01.2006, insofar as the petitioner is concerned. The petitioner claims that he had retired from his services on 31.12.2005 afternoon and since the benefit of 7th Pay Revision is made effective from 01.01.2006 and he having retired half day before the said date, the respondents may be directed to extend the benefit, so that he would get more retiral benefits.

3. Per contra, learned Government Advocate appearing on behalf of respondents submits that the 7th Pay Revision Commission was made applicable from 01.01.2006, though notified 3 1/2 years later by the



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Government vide G.O.Ms.No.234 Finance (Pay Cell) Department, dated 01.06.2009. Learned Government Advocate submits that as the petitioner who was not in service on the date from which it is given effect, he cannot seek the benefit of the 7th Pay Revision merely on the ground that he had retired on 31.12.2005 afternoon.

4. I have taken note of the respective contentions.

5. It is to be noted that revision of Pay Scales made, is for a tenure of 10 years, and the petitioner who was in service had availed the benefit of 6th Pay Revision earlier. Merely on account of the fact that the petitioner had retired on 31.12.2005 afternoon, he cannot claim or seek for being conferred with the benefit of 7th Pay Revision Scale which has been notified with effect from 01.01.2006 under G.O.Ms.No.234 Finance (Pay Cell) Department.

6. Though the petitioner had contended that the Government by G.O.Ms.No.140, Finance (Pay Cell) Department, dated 25.04.2018 had extended the benefit of sanction of annual increment to all persons who retired prior to 31.12.2014, even though the said Government Order was



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issued in the year 2018, and as such the 7th Pay Commission benefit may also directed to be extended, it is to be noted that extending a benefit of notional increment to employees who retired on or after 31.12.2014 by the respondents is an administrative decision taken by the State having regard to challenge pending consideration before this Court and the said principle cannot be made applicable under Pay Revision, pursuant to acceptance of 7th Pay Commission / Recommendation by the State Government. Further, no Mandamus can be issued to the State to take a decision in a particular way / manner.

7. In view of the above, this Court is of the view that the present writ petition as filed is devoid of merit and accordingly, the same is dismissed. No order as to costs. Miscellaneous Petitions if any stand closed.

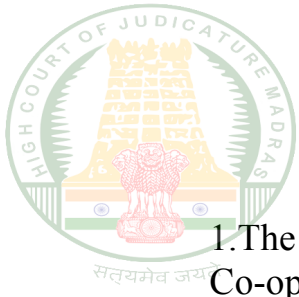
15.09.2025

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Index: Yes/No
Neutral Citation

To

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T.VINOD KUMAR, J.



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