



W.P. No. 23040 of 2018

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.04.2025

CORAM

THE HON'BLE Ms. JUSTICE R.N.MANJULA

W.P. No. 23040 of 2018

and

W.M.P. Nos. 26933 & 26934 of 2018

S.Vallavadoss

... Petitioner

-VS-

1. The Principal Accountant General
Office of the Accountant General
(Accounts & Entitlements) Tamil Nadu
361, Anna Salai, Teynampet
Chennai-600018.
2. The Joint Director of Collegiate Education
Trichy Region, Trichy – 620023.
3. The Treasury Officer
Trichy-620001.
4. The Secretary
National College, Trichy-620001.

... Respondents

Prayer:- Writ Petition filed under Article 226 of the Constitution of India, 1950, praying to issue a Writ of Certiorarified Mandamus, calling for the records pertaining to the proceedings dated 11.01.2018 in Letter No.AG (A&E) /Legal Cell/Miscellaneous 195/17-18 issued by the first respondent, quash the same insofar as last pay fixed at 13,080/- + 2400 instead of last drawn pay of Rs.15,100/- + 4200 is concerned and direct the respondents 1 and 2 to disburse



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the terminal benefits on the basis of proceedings in R.C. No.2258/C3/2017 dated 22.08.2017 issued by the second respondent.

For Petitioner : Ms.R.Vaishali
For Mr.R.Subramanian

For Respondents : Mr.S.Arumugam, GA (RR2 & 3)
Mr.V.Vijayshankar, SC (R1)

ORDER

This writ petition has been filed to call for the records pertaining to the proceedings dated 11.01.2018 in Letter No.AG (A&E) /Legal Cell/Miscellaneous 195/17-18 issued by the first respondent, quash the same insofar as last pay fixed at 13,080/- + 2400 instead of last drawn pay of Rs.15,100/- + 4200 is concerned and direct the first and second respondents to disburse the terminal benefits to the petitioner on the basis of proceedings in R.C. No.2258/C3/2017 dated 22.08.2017 issued by the second respondent.

2. Heard Ms.R.Vaishali, learned counsel for the petitioner, Mr.V.Vijayshankar, learned Standing Counsel for the first respondent and Mr.S.Arumugam, learned Government Advocate for the second and third respondent and perused the materials placed on record, apart from the pleadings of the parties.



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WEB 3.0 The petitioner, who has been promoted to the post of Store Keeper on 07.09.2005, has already filed a writ petition in W.P. No. 30934 of 2014 challenging the proceedings dated 05.06.2014 and consequential proceedings in dated 22.07.2014. In the said writ petition, the interim order of stay has been granted for recovery of dues as alleged by the respondents. Thereafter, the petitioner attained the age of superannuation and retired as Store Keeper. On 22.08.2017, the second respondent issued a proceedings sanctioning a sum of Rs.9,007/- as superannuation pension and other terminal benefits. In the above proceedings, the petitioner's last drawn pay was fixed at Rs.15,100/- + GP Rs.4,200/- = Rs.19,300/-. In the proceedings dated 11.01.2018 issued by the first respondent, the last pay drawn of the petitioner was arrived at Rs.13080/- + GP Rs.2400/-. Aggrieved over that, the petitioner has filed this writ petition.

4. The learned counsel for the petitioner submitted that a clarification has been obtained from the Directorate of College Education in respect of the Lab Assistants Special Grade and Selection grade, who had obtained promotion prior to 01.01.2006 as Typist /Junior Assistant /Store Keeper through the second respondent proceedings dated 27.02.2018 in Na.Ka.No.4312/A1/2017. In the said letter, it is clarified that they should be paid as per G.O. Ms. No.



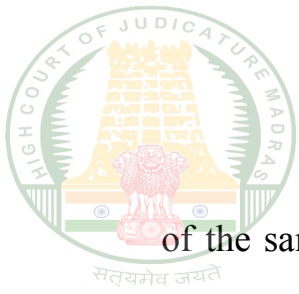
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328, Pay Cell Department dated 31.10.2017 as per VII Pay Commission

recommendation. Based on the One Man Committee report, the Government extended Selection Grade/Special Grade scales of pay to certain post and Lab Assistant who had obtained Selection Grade/Special Grade prior to 01.01.2006 and those who had exercised their option from 01.01.2006 to 31.05.2009, where they were given a fixed pay of Rs.31,600/- + GP Rs.4400/-.

5. If the same is applicable, the Government order issued consequent to the VII Pay Commission recommendations and the One Man Committee report subsequent to the VI Pay Commission recommendation would establish that the petitioner has drawn the last pay of Rs.15,200/-+ GP 4200/-. Despite the petitioner has given a representation in this regard, so far it has not been complied. The second respondent revised the proposal and sent the same to the first respondent, who has to issue authentication order.

6. The learned counsel for the respondents submitted that such proposal has not been received so far. In such case, the second respondent shall furnish a copy of the revised proposal once again to the first respondent after furnishing the copy of the same to the petitioner in order to enable the first respondent to refix the pensionary benefits available to the petitioner accordingly. On receipt



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of the same, the first respondent shall pass orders afresh on the representation

of the petitioner.

7. The writ petition is disposed of. The impugned order is set aside and the second to fourth respondents are directed to send a copy of the revised proposal to the first respondent as submitted before this Court on 25.04.2005 within a period of two weeks from the date of receipt of the copy of this order and on receipt of the same, the first respondent shall deposit the same by giving reason as to why authentication shall not be given within a period of four weeks thereafter. Consequently, the connected Miscellaneous Petitions are closed. No costs.

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Index: Yes/No

Internet: Yes/No

Speaking /Non-speaking order

Maya

To

1. The Principal Accountant General
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(Accounts & Entitlements) Tamil Nadu
361, Anna Salai, Teynampet
Chennai-600018.



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R.N.MANJULA, J.

Maya

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Trichy Region, Trichy – 620023.
3. The Treasury Officer
Trichy-620001.
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