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W.P.No.21832 of 2014

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03.01.2025

CORAM:

THE HONOURABLE MR.JUSTICE G.ARUL MURUGAN

WP.No.21832 of 2014

A.Kaliannan

.... Petitioner

Vs.

Government of Tamil Nadu,
Rep. by Secretary to Government,
Finance (CMPC) Dept.,
Secretariat, Chennai - 600 009.

... Respondent

Prayer:- Writ Petition is filed, under Article 226 of the Constitution of India, for issuance of Writ of Certiorarified Mandamus to call for the records relating to the order of the respondent in his Lr.No.41547/CMPC/2013-3, Finance (CMPC) Dept., dated 10.01.2014, quash the same and to issue consequential direction to the respondent (i) to grant minimum benefit of Rs.400/- in the revised Fitment Table with reference to the revised scale of pay for the post of Office Superintendent as ordered by the Hon'ble Supreme Court and issued in G.O.Ms.No.538, Finance (CMPC)Dept., dated 27.11.2000 and fix the petitioner's pay at Rs.6200 + 400 = Rs.6600/- with effect from 01.01.1996 (ii) to grant personal pay at 5% with retrospective effect from 01.01.1996 instead of from 01.01.1998, as ordered in G.O.Ms.No.497, Finance (R) Dept., dated 15.09.1998 and (iii) to release the balance of 60% of Pay Commission arrears including DCRG, 40% Commutation of Pension.

For Petitioner : Mr.M.Parthasarathy

For Respondent : Mr.P.Ananda Kumar
Government Advocate



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ORDER

The present writ petition has been filed to call for the records relating to the order of the respondent in his Lr.No.41547/CMPC/2013-3, Finance (CMPC) Dept., dated 10.01.2014, quash the same and to issue consequential direction to the respondent (i) to grant minimum benefit of Rs.400/- in the revised Fitment Table with reference to the revised scale of pay for the post of Office Superintendent as ordered by the Hon'ble Supreme Court and issued in G.O.Ms.No.538, Finance (CMPC)Dept., dated 27.11.2000 and fix the petitioner's pay at Rs.6200 + 400 = Rs.6600/- with effect from 01.01.1996 (ii) to grant personal pay at 5% with retrospective effect from 01.01.1996 instead of from 01.01.1998, as ordered in G.O.Ms.No.497, Finance (R) Dept., dated 15.09.1998 and (iii) to release the balance of 60% of Pay Commission arrears including DCRG, 40% Commutation of Pension.

2. Learned counsel appearing for the petitioner submitted that the writ petitioner died and the legal heirs have not turned up to substitute them on record in place of the petitioner. Learned counsel has made an endorsement to that effect that the petitioner died and the case is abated.



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3. Recording the submission and the endorsement made by the learned counsel for the petitioner, this writ petition is dismissed as abated giving liberty to the legal heirs to take necessary steps to restore the petition, if they are otherwise interested. No costs.

03.01.2025

Index:Yes/No
Web:Yes/No
Speaking/Non Speaking
msv

To
The Secretary to Government,
Government of Tamil Nadu,
Finance (CMPC) Dept.,
Secretariat, Chennai - 600 009.



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G.ARUL MURUGAN, J.

msv

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