



WEB COPY

W.A.No.339 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19.02.2025

CORAM:

THE HONOURABLE MR.JUSTICE **R.SUBRAMANIAN**
AND
THE HONOURABLE MR.JUSTICE **G. ARUL MURUGAN**

W.A.No. 339 of 2025
and CMP No. 2718 of 2025

1. The Government of Tamil Nadu,
Rep. by its Additional Chief Secretary,
Rural Development and Panchayat Raj Department,
Fort St. George, Chennai 9.

2. The Director of Rural Development Department/
Panagal Building, Saidapet,
Chennai 600 015.

3. The District Collector,
Villupuram District.

...Appellant

Vs.

E. Ramalingam

... Respondent

Prayer: Writ Appeals filed under Clause 15 of the Letters Patent, to set aside the order dated 05.10.2023 passed in WP No.189 of 2020.

For Appellants : Mr.K.H.Ravi Kumar
Government Advocate



COMMON JUDGMENT

*(Judgment of the Court was delivered by **R.SUBRAMANIAN, J.**)*

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The State is on Appeal aggrieved by the direction to sanction increment with reference to the post held by the respondent as on 30.07.1992.

2. The respondent was appointed as a Rural Welfare Officer Grade II on 02.09.1968. After being promoted to various posts, he finally attained superannuation and retired on 30.06.2004 as Block Development Officer. He had undergone training from 01.11.1965 to 31.10.1967 before joining as Rural Welfare Officer Grade II.

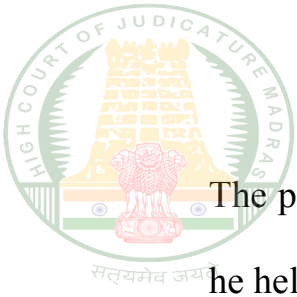
3. Considering the representations made by several of these individuals, who had undergone training before being appointed as Rural Welfare Officer Grade II, the Government passed G.O.(Ms).No.164 dated 30.07.1992 enabling these officers to count their training period for probation and increment. The G.O. also clarified that the monetary benefits will be given to them prospectively that is in the date of the issue of G.O.,



paragraph 4 of the said G.O. reads as follows:

“4. The Government accordingly direct that, those who had already undergone Rural Welfare Officer's training prior to the issue of G.O.(Ms) No.535, Rural Development dated 10.07.1986 and now working in different categories under Single Service Rules be permitted to count that training period for probation and increment. The monetary benefit will be given to them prospectively i.e., from the date of issue of this order, without retrospective monetary benefit.”

4. Interpreting this paragraph 4, this Court by order dated 05.07.2011 made in WP Nos.33981 of 2005 and 39046 of 2005 had held that the increments should be sanctioned in respect of post held by the employees as on 30.07.1992. It is not in dispute that this judgment of this Court has become final. Pursuant to the same, several other officers were granted increments with reference to the post that they held on 30.07.1992 under G.O.(Ms).No.85 dated 11.09.2012 and G.O.(Ms).No.62 dated 27.06.2013.



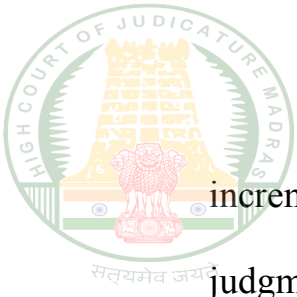
The petitioner also wanted sanction of increments with reference to the post he held on 30.07.1992.

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5. This claim of the petitioner was rejected by the Department by the order impugned in the Writ Petition dated 10.07.2019 on the ground that the incentive increments have been sanctioned to the respondent even as early as on 29.05.1998 and therefore, the petitioner is not entitled to the increments. The Service Register of the respondent has also been placed before us.

6. No doubt increments have been sanctioned to the respondent, but the increments have been sanctioned with reference to the Post that the respondent held in the year 1966-1967 and not with reference to the post that the respondent held in the year 1992. The fact that this Court has interpreted G.O.(Ms).No. 164 dated 30.07.1992 and held that increment should be sanctioned with reference to the post held by the individual employee as on 30.07.1992 is not in dispute.

7. We find that the Writ Court had taken note of the fact that the



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increments that were sanctioned in the year 1998 were not in tune with the judgment of this Court and had directed sanctioning of increment with reference to the post held by the respondent as on 30.07.1992. The judgment of the Writ Court is actually in tune with the earlier pronouncements of this Court and hence we see no reason to interfere with the order under Appeal.

8. The Appeal therefore fails and it is accordingly dismissed. There shall be no order as to costs. Consequently, the connected miscellaneous petitions are closed.

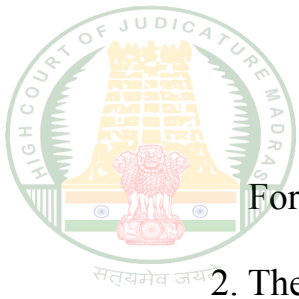
(R.SUBRAMANIAN, J.) (G. ARUL MURUGAN, J.)
19.02.2025

jv
Index : No
Neutral Citation : No
Speaking order

To

1. The Additional Chief Secretary,
Government of Tamil Nadu,
Rural Development and Panchayat Raj Department,

5/7



Fort St. George, Chennai 9.

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R.SUBRAMANIAN, J.
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