



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.01.2025

WEB COPY

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THE HONOURABLE MR.JUSTICE MUMMINENI SUDHEER KUMAR

W.P.No.24 of 2025
and WMP.No.25 of 25

M.Jayaraman

... Petitioner

Vs.

- 1.The Union Of India
Through its Secretary,
Ministry Of Home Affairs
North Block, New Delhi- 110 001.
- 2.The Director General, CISF
CISF Headquarters,
CGO Complex, Lodhi Road,
New Delhi- 110 003.
- 3.The Chief Controller Of Accounts
Ministry Of Home Affairs,
North Block, New Delhi- 110 001.
- 4.The Secretary, Department Of Pension And Pensioners Welfare,
Ministry of Personnel, Public Grievances, and Pensions,
North Block, New Delhi- 110 001.
- 5.The Pay And Accounts Officer
Ministry of Home Affairs,
North Block, New Delhi- 110 001.

... Respondents



Prayer: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, directing the respondents to grant me the notional increment for the period 1st July 2015 to 30th June 2016 and to issue a fresh Pension Payment Order (PPO) reflecting the increased pension amount along with the arrears of pension and award interest on the arrears of pension at the rate of 8% per annum from the date of retirement till the date of payment.

For Petitioner : Mr.Venkatesh Mohanraj

For Respondents : Mr.P.J.Anitha for R1 to R5

ORDER

Heard Mr.Venkatesh Mohanraj learned counsel for the petitioner and Ms. P.J.Anitha learned counsel for the respondents 1 to 5. With the consent of both the parties, the writ petition is taken up for disposal at the admission stage, itself.

2.The petitioner herein, who joined CISF on 26.04.1989 retired from service, as Sub Inspector on 30.06.2016. The due date for the grant of increment for the petitioner is 01.07.2016. As the petitioner has retired from

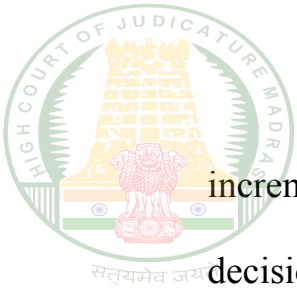


service on 30.06.2016 itself, the petitioner was not granted the increment that was due to be awarded on 01.07.2016. It is claiming for such increment the petitioner approached this Court by filing the present writ petition.

3.It is not in dispute that the issue as to whether the person who retired a day before the due date for award of increment is entitled for such increment is already been decided by learned Division Bench of this Court in W.A.No.15732 of 2017 dated 15.09.2017 and law in this regard is also well settled.

4.In view of the same, the petitioner cannot be denied of increment that fell due on 01.07.2016 as the petitioner has already completed one year service by 30.06.2016 itself. However, the petitioner without making any representation before the respondents directly approached this Court by filing the present writ petition.

5. In view of the same, the petitioner is permitted to submit a appropriate representation before the 2nd respondent seeking for grant of such increment that was due on 01.07.2016, within a period of four weeks from the date of receipt of a copy of this order. In case the petitioner makes any such representation the 2nd respondent shall consider the same and grant the



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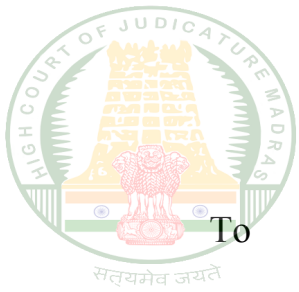
increment to which the petitioner is entitled under law, in the light of the decision rendered by this Court in W.A.No.15732/2017 dated 15.09.2017, within a further period of six weeks from the date of submission of the representation.

6.Accordingly, the writ petition stands disposed of. No costs.
Consequently, connected miscellaneous petition is closed.

07.01.2025

vsn

Index : Yes / No
Speaking order / Non-speaking order
Neutral Citation : Yes / No



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MUMMINENI SUDHEER KUMAR, J.

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