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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12-06-2026

CORAM

THE HON'BLE MR JUSTICE S. M. SUBRAMANIAM

AND

THE HON'BLE MR.JUSTICE N.SENTHILKUMAR

Writ Petition No.20893 of 2007

All Pensioners' Federation
Cheranmahadevi
represented by its President
T.S.Antony Jebamalai

..Petitioner

Vs

The State of Tamil Nadu,
Through The Secretary,
Finance (Pension) Department,
Fort St.George, Chennai - 9.

..Respondent

Writ Petition filed under Article 226 of the Constitution of India seeking issuance of a Writ of Declaration relating to Rule 30 of Tamil Nadu Pension Rules 1978 and Note (4) are unconstitutional and consequently, direct the respondent to pass necessary orders permitting that the increment earned by the Members of the Petitioner Federation during their last one year of service, that fell due on the date of retirement, though not drawn should be counted for their emoluments to determine their retirement benefits.

For Petitioner : Mr.A.R.Nixon

For Respondent : Dr.R.Gouri
Government Counsel



ORDER

(Made by S.M.Subramaniam J.)

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The relief sought for in the present writ petition is to direct the respondent to grant increment earned by the Members of the Petitioners' Federation during their last one year of service that fell due to the date of retirement.

2. The issues relating to grant of increment during the last one year of service was elaborately considered by this Court and the Government also issued orders implementing the judgment in G.O.Ms.No.311, Finance (Pay Cell) Department, dated 23.10.2017. Yet another Government Order has been passed by the Government in G.O.Ms.No.140, Finance (Pay Cell) Department, dated 25.04.2018. The relevant paragraph in G.O.Ms.No.140, Finance (Pay Cell) Department, dated 25.04.2018 reads as under:

"6. After careful consideration of the various judgments passed by the Hon'ble High Court, the Government have decided to comply the orders of the Hon'ble High Court in favour of all eligible retired employees who have completed one full year of service and not sanctioned annual increment due to their superannuation prior to 31.12.2014. Accordingly, Government extend the benefit of sanction of annual increment to all the petitioners who have filed various Writ Petitions and all other similarly placed persons who retired prior to 31.12.2014 and completed one full year of service prior to their retirement, notionally with effect from the date of their retirement for the purpose of revision of pension with monetary benefit prospectively with effect from 31.12.2014 i.e. from the date of issue of G.O.Ms.No.311, Finance (CMPC) Department, dated 31.12.2014.

7. The Government also direct that the rate of notional increment granted above, shall not exceed the eligible rate based on the basic pay drawn by the employee on the date of retirement."



3. In view of the above position, the Members of Petitioner's Federation is also eligible for the same benefit if they fulfill the conditions as stipulated in

WEB G.O.Ms.No.140, Finance (Pay Cell) Department, dated 25.04.2018.

Accordingly, the writ petition is disposed of. No costs.

(S.M.S.,J.) (N.S.,J.)
12-06-2026

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

To
The Secretary,
Finance (Pension) Department,
Fort St.George, Chennai - 9.



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Writ Petition No.20893 of 2



**S.M.SUBRAMANIAM, J.
AND
N.SENTHILKUMAR, J.**

gm

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