

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 10.04.2015

CORAM

THE HONOURABLE MR. JUSTICE D.HARIPARANTHAMAN

W.P.Nos.10418 & 10419 of 2015

S.M.Malini
C.Kannan

... Petitioner in W.P.10418 of 2015
... Petitioner in W.P.10419 of 2015

Versus

Anna University,
Rep by its Registrar,
Guindy, Chennai - 600 025

... Respondent in both WPs

Prayer in WP.Nos.10418 & 10419 of 2015:

Writ petitions are filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondent to consider the representation of the petitioners dated 19.02.2014 in accordance with law, on its merits and pass orders on the same within the time frame stipulated by this Hon'ble Court.

For Petitioner : Mr.Balan Haridas

For Respondents : Mr.M.Vijayakumar
Standing Counsel

C O M M O N O R D E R

The petitioners were appointed as Technicians in Anna University on 01.09.1988. According to the petitioners, on completion of their ten years of service, the respondent University conferred them with selection grade with effect from 14.09.1998. On completion of twenty years of service, they were not accorded Special Grade with revised Special Grade Pay of Rs.15600-39100+5400.

2. According to the petitioners, they had completed 20 years of service in the post of Technician with effect from 05.09.2008. Though the grant of higher scale of special pay was dispensed with pursuant to the G.O.Ms.No.234, Finance(PC) Department dated 1.06.2009, it was clarified by the Finance Department in its letter 08.11.2010, to grant those employees, who had completed ten years / twenty years of service i.e., in case of employees awarded Selection Grade / Special Grade to the revised scales of pay at their option. It is relevant to extract paragraph 2 of the said letter dated 08.11.2010, which reads as follows :

2) , in case of employees awarded

Selection Grade / Special Grade between 1-1-2006 and 31-5-2009 i.e., prior to the issue of G.O.Ms.N0.234, Finance (PC) Department, dated 1-6-2009, they were also permitted to exercise their option to come over to the revised scales

of pay on the date of their award of Selection Grade / Special Grade by foregoing the arrears entitled to them with effect from 1-1-2007, so that they were also allowed the same benefit as that of the employees who were awarded Selection Grade / Special Grade prior to 1-1-2006."

3. In these circumstances, the petitioners made various representations and last of their representation is dated 19.2.2014 and its reminder dated 18.9.2014 respectively and the present writ petitions are filed to consider the said representation.

4. It is stated by the learned counsel for the petitioners that though the Government Letter dated 08.11.2010 regarding revision of selection grade and special grade of pay does not apply directly to the employees of the respondent University, persons, who are similarly situated, were granted the said revision of pay for Selection Grade / Special Grade.

5. Taking into consideration all the above facts, the respondent is directed to dispose of the representation of the petitioners dated 19.02.2014 on merits and in accordance with law, keeping the above observations made by this Court, within a period of eight weeks from the date of receipt of a copy of this order.

6. The Writ Petitions are disposed of accordingly. No costs.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

nvsri/ds

To

The Registrar,
Anna University,
Guindy,
Chennai - 600 025.

2 CC to M.Vijayakumar, Advocate SR.No.19901,19900

2 CC to Balan Haridass, Advocate SR.No.20130,20131

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