

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :18.2.2015

CORAM:

THE HONOURABLE MR. JUSTICE K.K.SASIDHARAN

Writ Petition No.137 of 2015
and
MP.No.1 of 2015

M.Palani

...Petitioner

Vs.

- 1 Regional Joint Director
of Municipal Administration Jeeva Complex
Muthuranga Mudali Street, West Tambaram
Chennai-600 045.
- 2 Commissioner
Pallavaram Municipality
Chrompet Chennai- 600 044.
- 3 Assistant Director of Local
Fund Audit Directorate of Local Fund Audit
Directorate of Local Fund Audit Kuralagam
Chennai-600 108.

...Respondents

Petition filed under Article 226 of the Constitution of India for the issuance of writ of mandamus directing the respondents to pay salary to the petitioner for the period from 01.7.2011 to 17.9.2012 treating as on duty and sanctioned revised pension and confer all the consequential benefits.

For Petitioner : Mr.C.Selvaraj,
Senior Counsel
for M/s. C.S. Associates

For R1 and R3 : Mr.M.S.Ramesh,
Additional Government Pleader

For R2 : Mr.P.Srinivas

O R D E R

The petitioner worked as Road Worker and on attaining the age of superannuation retired on 30.6.2011. However, he was not given salary for the period from 01.7.2011 to 17.9.2012. Similarly, annual increment was also not paid. The petitioner, taking advantage of Fundamental Rules 54 (1), approached the first respondent to continue the service up to 30.6.2013. The first respondent by proceedings dated 12.7.2012 directed the second respondent to allow the petitioner to continue in service up to 30.6.2014.

2. It is the grievance of the petitioner that in spite of discharging duty, he was not paid salary for the period from 01.7.2011 to 17.9.2012. The petitioner submitted representations on 12.3.2014 and 22.12.2014. The present request is to direct the first respondent to consider the representations and pay him salary for the period in question.

3. The first respondent is directed to consider the case of the representation submitted by the petitioner taking into account the earlier proceedings dated 12.7.2012. Such exercise shall be completed within a period of two months from the date of receipt of a copy of this order.

4. The writ petition is disposed of with the above direction. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (CS-II)

//True Copy//

Sub Assistant Registrar

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To

1 Regional Joint Director
of Municipal Administration Jeeva Complex
Muthuranga Mudali Street West Tambaram
Chennai-600 045.

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- 2 Commissioner
Pallavaram Municipality Chrompet Chennai-
600 044.
- 3 Assistant Director of Local
Fund Audit Directorate of Local Fund Audit
Directorate of Local Fund Audit Kuralagam
Chennai-600 108.

2 CCs to M/s. C.S. Associates, Advocate SR.No. 9112

1 CC to Mr.P.Srinivas, Advocate SR.No. 9124

1 CC to the Government Pleader, SR.No. 9226

W.P.No.137 of 2015

MP (CO)
PSI (11.03.2015)



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