

In the High Court of Judicature at Madras

Date :: 28.10.2015

coram ::

The Hon'ble Mr. Justice D. Hariparanthaman

Review Application (Writ)
No: 252 of 2014

1. The District Collector
Collectorate
Namakkal.
2. The District Treasury Officer
Namakkal District. ... Petitioners

-VS-

1. R. Boopathi
S/o. Raman
Panchayat Union Office
Elachipalayam
Namakkal District.
2. The Block Development Officer
Block Panchayat
Elachipalayam Block. ... Respondents

.. ..

Revi. Application under Order 47 Rule 1 of C.P.C. read with 114 of C.P.C. against the order of the learned single Judge dated 22.01.2013 made in W.P. No: 142 of 2012.

For Petitioners :: Mr. K.N. Dhanapalan
 Addl. Government Pleader

For 1st respondent :: Mr. D. Nalliappan

For 2nd respondent :: Mr. M.E. Raniselvam
 Addl. Government Pleader

.. .. .

ORDER

The writ petitioner was appointed as a jeep driver by an order dated 31.05.1999 by the Commissioner, Elachipalayam Panchayat Union. He joined duty in the forenoon of 01.06.1999. According to the petitioner, he has completed 10 years of service on 31.05.2009. Separate selection grade / special grade pay was granted to Government employees upto 31.05.2009 and after 01.06.2009, uniformly, 6% of the basic pay is paid as Selection Grade Pay.

2. It is the case of the writ petitioner that the grant of Selection Grade Pay / Special Pay will be given to a Government employee who had completed 10 years / 20 years of service before 31.05.2009. The same is also clarified by the Government in its Letter No: 63305/Pay Cell/2010-1 dated 8.11.2010. But, the petitioner was not granted Selection Grade scale of pay. Aggrieved over the same, he has filed the aforesaid writ petition.

3. The writ petition was allowed by this Court for different reasons. However, in view of the aforesaid facts, I am not inclined to interfere with my order in this writ petition. The non interference with the earlier order is not due to the reason, that was given in the order, but based on the facts of this case.

4. Since the petitioner has completed 10 years of service on 31.05.2009, he is entitled to the Selection Grade Pay applicable to be jeep drivers on completion of ten years of service. He is entitled to be paid Selection Grade Pay of jeep driver with effect from 01.06.2009.

5. Hence, I am not inclined to interfere with the earlier order passed by this Court on 22.01.2013 in W.P. No: 142 of 2012 and the Review Application is dismissed.

D. Hariparanthaman, J.

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