

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05.02.2015

Coram

The Hon'ble Mr. Justice K.K.SASIDHARAN

W.P.No.33400 of 2014

P.Sivaguru

.. Petitioner

Vs.

1.The Government of Tamil Nadu
rep. By Secretary,
Public Works Department,
Fort St. George, Chennai - 9.

2.The Engineer in Chief (WRD) &
Chief Engineer (GI),
Public Works Department,
Chepauk, Chennai - 5.

.. Respondents

Petition filed under Article 226 of the Constitution of India praying to issue a writ of mandamus directing the respondents to consider the petitioner for granting two advance increments to him from the date of acquiring P.G. Degree i.e. M.E. Degree in Soil Mechanics and Foundation Engineering and consequentially to revise the petitioner's pay and pay him all consequential arrears of pay therefor.

For Petitioner .. Mr.N.Subramaniyan

For Respondents .. Mr.M.S.Ramesh,
Addl. Govt. Pleader

ORDER

The delay on the part of the second respondent to consider the case of the petitioner for granting two advance increments in view of his acquiring P.G. degree viz., M.E. Degree in Soil Mechanics and Foundation Engineering made the petitioner to file this writ petition.

2.The petitioner is presently working as Executive Engineer in Tamil Nadu Public Works Department. It is the case of the petitioner that while working as Assistant Engineer, he was

permitted to study P.G. Degree course in Engineering. The petitioner obtained the P.G. Degree from Anna University. According to the petitioner, he is entitled to two advance increments on account of his additional qualification, on the strength of Government Order in G.O.Ms.No.1195 Public Works Department dated 11.07.1972. The petitioner submitted series of representations requesting the second respondent to extend him the benefits of the Government Order in G.O.Ms.No.1195 Public Works Department dated 11.07.1972. Since there was no follow up action taken by the second respondent, the petitioner is before this Court.

3.The learned counsel for the petitioner by placing reliance on the order of this Court in W.P.No.25018 of 2014 submitted that in similar circumstances, the claim made by the petitioner in the said writ petition was allowed and thereafter the Government have sanctioned him advance increments.

4.The second respondent is directed to consider and dispose of the representation of the petitioner dated 06.08.2014 on merits and in accordance with the Government Order in G.O.Ms.No.1195 Public Works Department dated 11.07.1972 and the order passed by this Court dated 15.09.2014 in W.P.No.25018 of 2014. Such exercise shall be completed within a period of three months from the date of receipt of a copy of this order.

5.The writ petition is disposed of with the above direction. No costs.

Sd/-

Asst.Registrar (CS III)

/true copy/ सत्यमेव जयते

Sub Asst. Registrar

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To

1.The Secretary to Government,
Public Works Department,
Fort St. George, Chennai - 9.

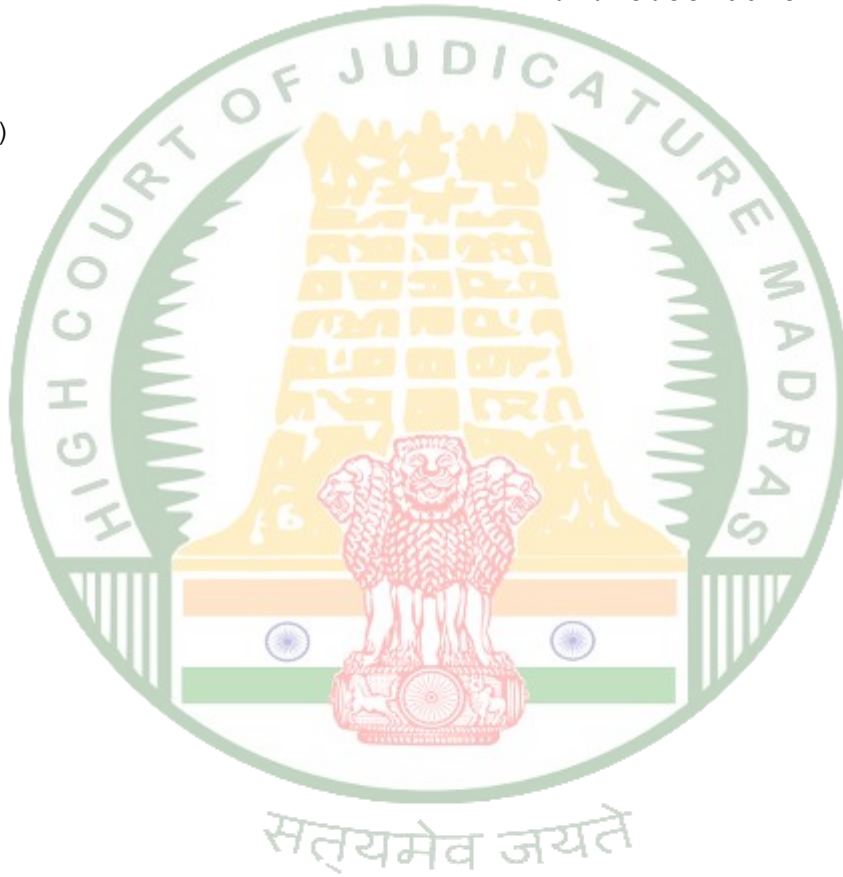
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2.The Engineer in Chief (WRD) &
Chief Engineer (GI),
Public Works Department,
Chepauk, Chennai - 5.

1 cc to M/s. N. Subramaniyan, Advocate, Sr. 6227
1 cc to Government Pleader, sr.6368

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