

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.07.2015

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

W.P.No.22752 of 2015

P.Rajalingam

... Petitioner

Vs.

1. The State of Tamil Nadu,
rep.by its Principal Secretary to Government,
Handlooms, Textiles & Khadi (G1) Department,
Secretariat, Fort St.George,
Chennai - 600 009,
2. The Assistant Director of Sericulture,
Sericulture Department,
Namakkal. ... Respondents

Prayer:

Writ petition filed under Article 226 of the Constitution of India praying for a Writ of Mandamus to direct the respondents to confer Selection Grade and Special Grade to the petitioner in the post of Junior Inspector of Sericulture (earlier called as Sericulture Operative) with consequential revision of pay and arrears of salary including revision of pension and other retirement benefits in the light of orders passed in W.P.No.28492 of 2006 dated 1.7.2008 as implemented in the proceedings of the 2nd respondent in Se.Mu.No.2095/Aa/2008 dated 26.10.2010 within a time frame to be fixed by this Court.

For Petitioner : Mr.G.Sankaran

For Respondents : Mr.S.Gunasekaran,
Govt.Advocate for R.1 & R2

ORDER

This writ petition has been filed by P.Rajalingam seeking a direction to the respondents to confer Selection Grade and Special Grade to the petitioner in the post of Junior Inspector of Sericulture (earlier called as Sericulture Operative) with consequential revision of pay and arrears of salary including revision of pension and other retirement benefits in the light of orders passed in W.P.No.28492 of 2006 dated 1.7.2008 as implemented

in the proceedings of the 2nd respondent in Se.Mu.No.2095/Aa/2008 dated 26.10.2010.

2. The petitioner was appointed as Sericulture Operative in the Department of Sericulture and the said post was later renamed as Sericulture Demonstrator. The post of Sericulture Demonstrator got merged with Junior Inspector of Sericulture with effect from 1.10.1984 as per G.O.Ms.No.310, Handlooms, Textiles & Khadi (GI) Department dated 7.11.1987. Accordingly, the petitioner is holding the said post from the date of appointment till the date of retirement. In this scenario, the grievance of the petitioner is that the service rendered in the post of Sericulture Demonstrator prior to merger was not taken into account for the purpose of granting Selection Grade and Special Grade in the post of Junior Inspector of Sericulture.

3. Learned counsel appearing for the petitioner has brought to the notice of this Court a Division Bench judgment of this Court dated 21.4.2009 in W.A.No.1398 of 2008, wherein in paragraph No.4 of the order, this Court directed the appellants therein to take the original date of joining duty as Sericulture Operative for the purpose of conferring Selection Grade in the post of Sericulture Demonstrators which was subsequently merged as Junior Inspectors of Sericulture. On that basis, the learned counsel sought for a direction to the respondents to consider the representation made by the petitioner.

4. Learned Government Advocate appearing for the respondents after taking notice sought for reasonable time to consider and dispose of the representation dated 19.9.2014.

5. In the light of the Judgment dated 21.4.2009 made by the Division Bench of this Court in W.A.No.1398 of 2008, this Court directs the respondents to consider the representation dated 19.9.2014 made by the petitioner and pass orders on merits and in accordance with law within a period of eight weeks from the date of receipt of a copy of this order.

6. The writ petition is disposed of accordingly. No costs.

Sd/-
Assistant Registrar

True Copy

Sub Assistant Registrar

usk

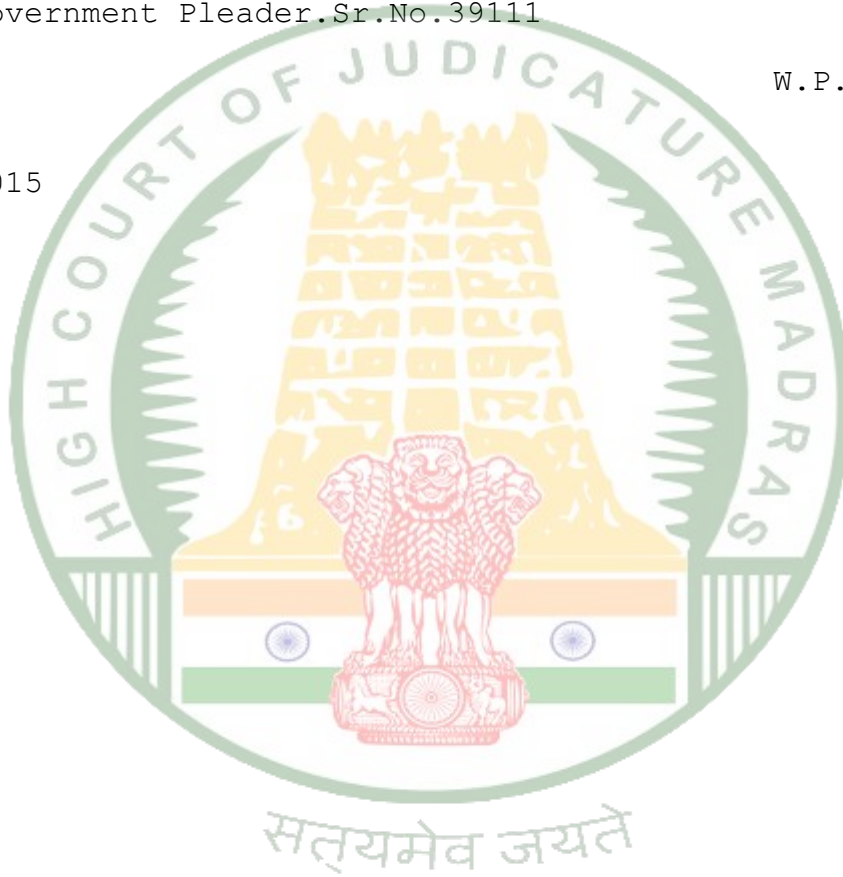
To

1. The Principal Secretary to Government,
Handlooms, Textiles & Khadi (G1) Department,
Secretariat, State of Tamil Nadu,
Fort St.George,
Chennai - 600 009,
2. The Assistant Director of Sericulture,
Sericulture Department,
Namakkal.

1 cc to Government Pleader.Sr.No.39111

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pmk.7.8.2015



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