

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02.09.2015

CORAM

THE HONOURABLE MR. JUSTICE M.SATHYANARAYANAN

W.P.No.27433 of 2015 &
M.P.No.1 of 2015

R.Dakshinamoorthy

... Petitioner

v.

1.State of Tamil Nadu,
Rep. By its Secretary to Government,
Rural Development and Panchyat Raj Department,
Fort St. George, Chennai - 9.

2.Director,
Commissionrate of Rural Development and
Panchayat Raj
Panagal Building, Chennai -15.

3.District Collector,
Kancheepuram District,
Kancheepuram.

4.District Collector,
Thiruvallur District,
Thiruvallur.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, directing the respondents herein to forthwith issue revised orders sanctioning Selection and Special Grade Pay w.e.f. 01.10.1978 and 2.4.1987 respectively and one bonus increment for completion of 30 years service to the petitioner herein by taking into consideration the service rendered by him in the Agricultural Department from 1.9.1965 to 18.4.1972 and consequently re-fix his last drawn pay and pension in the post of R.W.O. Grade-II and sanction difference in salary, arrears of pension and all other consequential monetary benefits in accordance with law.

For Petitioner : Mr.V.R.Rajasekaran

For Respondents : Mr.N.Srinivasaran
Addl. Govt. Pleader

O R D E R

By consent, the writ petition is taken up for final disposal.

2. The petitioner was appointed as Village Level Worker/Agricultural Assistant Grade-II on 01.09.1965 in the Agricultural Department and posted at District Agricultural Office, Thiruvallur. The petitioner would state that the Government took a decision to absorb 415 village level workers working in the Agricultural Department as Gramasevak Grade-II in the Rural Development Department. However, the services rendered by the petitioner in the Agricultural Department during the period 1.9.1965 to 18.4.1972 have not been taken into consideration for the purpose of awarding Selection and Special Grade of pay as well as for the purpose of seniority in the Rural Development Department.

3. The petitioner would further state that Tvl.S.A.Mani and K.Ganapathy, who have originally approached the Tamil Nadu State Administrative Tribunal, filed O.A.No.6595 of 1996 to grant Selection/Special Grade in the light of para e(vii) of G.O.Ms.No.214, Personnel and Administrative Reforms (Per.M.) Department, dated 1.3.1979 and para 3(4) of G.O.Ms.No.898, Personnel and Administrative Reforms (Per.M.) Department, dated 23.9.1983 and consequently direct the second respondent to revise the inter-se seniority list of Assistants/RWOs Grade I, dated 24.10.1996, re-fixing the seniority of the petitioners therein on the basis of total length of service by placing their names in an appropriate place over and above their juniors in the post of Agricultural Assistant/Gamma Sevak Grade II and after the abolition of the Tribunal, it was transferred to this Court and re-numbered as W.P.No.28273 of 2006. This court by the order dated 29.09.2008 directed the respondent-District Collector, Kancheepuram to dispose of the representation according to law and on merits, within a period of three months from the date of receipt of a copy of that order. The learned counsel for the petitioner would submit that since the petitioner is also similarly placed, submitted a representation dated 18.10.2010 and 27.04.2015 to the respondents in this regard. Since no orders have been passed, came forward to file this writ petition.

4. Heard the submissions of learned counsel for the petitioner and Mr.N.Srinivasaran, learned Additional Government Pleader, who accepts notice on behalf of respondents.

5. Though the petitioner prayed for a larger relief, this Court, in the light of the facts and circumstances and without going into the merits of the case, directs the respondents 1 and 4 to consider and dispose of the petitioner's representation dated 27.04.2015 on merits and in accordance with law, within a period of ten weeks from the date of receipt of a copy of this order and communicate the

decision taken, to the petitioner.

This Writ Petition is disposed of accordingly. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar

True Copy

Sub Assistant Registrar

Rj

To

1. The Secretary to Government,
Rural Development and Panchyat Raj Department,
Fort St. George, Chennai - 9.
2. The Director,
Commissionerate of Rural Development and
Panchayat Raj
Panagal Building, Chennai -15.
3. The District Collector,
Kancheepuram District,
Kancheepuram.
4. The District Collector,
Thiruvallur District,
Thiruvallur.

1 cc to Mr.V.R.Rajasekaran , Advocate Sr.No.47003
1 cc to Government Pleader.Sr.No.47647

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