

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03.09.2015

CORAM:

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

W.P.No.27728 of 2015

1. C.Visvanathan
2. Saravanan.M
3. V.Vassoudevan
4. R.V.Senthil
5. K.Subramanian
6. V.Shanmugam
7. V.Ramalingam
8. K.S.Karthikeyan
9. S.Raja
10. V.Ranganadan
11. V.Kamalavelan
12. D.Kumaran
13. P.Arunnathe
14. C.Rajakumari
15. P.Devanathan
16. D.Prabakar
17. L.Raja
18. R.Thiruvallaban
19. M.Kalaichezhian
20. N.Rajasegaran

...Petitioners

1. Union of India,
Represented by the Secretary to Government,
Department of Industrial Development (Power)
Government of Union Territory of Puducherry,
Puducherry.
2. The Secretary to Government,
Department of Personnel and Administrative Reforms,
Government of Union Territory of Puducherry,
Puducherry.

3. The Puducherry Power Corporation Ltd.,
Rep. by its Chairman,
Government of Union Territory of Puducherry,
Puducherry.
4. The Managing Director,
Puducherry Power Corporation Ltd.,
Government of Union Territory of Puducherry,
Puducherry.
5. The Superintending Engineer,
Puducherry Power Corporation Ltd.,
Project Office, Karaikal.

...Respondents

Prayer:- Writ Petition has been filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus directing the respondents 3 to 5 to forthwith implement the revision of pay to the post of Junior Engineer, Assistant Engineer and Environmental Engineer respectively by the Resolution of the Board dated 10.07.2015 bearing Ref.No.116.12 and without waiting any further concurrence of the 2nd respondent or any other authority.

For Petitioners : Mr.Bharatha Chakravarthy
for M/s.Sai Bharath and Ilan

For Respondents 1 to 5 : Mr.A.Tamilvannan
Government Advocate (Pondy)

O R D E R

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

2. The petitioners would state that the third respondent company is a Government company fully owned, sponsored and administered by the Government of Union Territory of Puducherry and hence the recommendations of the Central Pay Commission should be conferred to his employees. According to the petitioners, they possess educational qualification of degree in engineering and other higher qualifications and in respect to the post of Junior Engineer, the requisite educational qualification is degree in engineering. As per the recommendations of the 6th Central Pay Commission in respect of post to which, the direct entry qualification is a degree in Engineering, the scales of pay granted is Rs.6500-10500 for Junior Engineers and Rs.7500-12000 for Assistant Engineers and Environmental

Engineers. However, in spite of the positive recommendations, it has not been implemented and once again the second respondent is making reference for the purpose of getting clarification and in this regard, the petitioners through their association has submitted a representation dated 26.02.2015. Since no orders has been passed, the petitioners came forward to file this writ petition.

3. Mr.Bharatha Chakarvarthy, learned counsel appearing for the petitioner draws the attention of this Court to the minutes of the 116th meeting of the Board of Directors of the 3rd respondent Corporation held on 10.07.2015 and would submit that in spite of making positive recommendations, the second respondent has once again referred the same to another committee and it is not warranted for the simple reason that all along the second respondent was implementing the recommendations of the Central Pay Commission without any modification to his employees and hence prays for appropriate orders.

4. Heard the submissions of Mr.A.Tamilvannan, learned Government Advocate (Pondy) who accepts notice on behalf of the respondents 1 to 5.

5. Though the petitioner prays for a larger relief, in the light of the facts and circumstances of the case, this Court directs the respondents 3 and 4 to consider and dispose of the representation of the petitioners dated 26.02.2015, on merits and in accordance with law after giving an opportunity of personal hearing to the authorised representative of their Association viz., PPCL Engineers Association, T.R.Pattinam, Karaikal and pass orders within a period of eight weeks from the date of receipt of a copy of this order and communicate the decision taken to the petitioners as well as their Association. The writ petition is disposed of accordingly. No costs.

Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

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To

1. The Secretary to Government,
Department of Industrial Development (Power)
Government of Union Territory of Puducherry,
Puducherry.
 2. The Secretary to Government,
Department of Personnel and Administrative Reforms,
Government of Union Territory of Puducherry,
Puducherry.
 3. The Chairman,
Puducherry Power Corporation Ltd.,
Government of Union Territory of Puducherry,
Puducherry.
 4. The Managing Director,
Puducherry Power Corporation Ltd.,
Government of Union Territory of Puducherry,
Puducherry.
 5. The Superintending Engineer,
Puducherry Power Corporation Ltd.,
Project Office, Karaikal.
- 1 CC to M/s.Sai Bharath and Ilan, Advocate SR.No. 47689
- 1 CC to the Government Pleader, SR.No. 47810

W.P.No.27728 of 2015

NM (CO)
PSI (08.09.2015)

सत्यमेव जयते

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