

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATE: 12.10.2015

CORAM

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

W.P.No.32416/2015

M.Selvam

..Petitioner

Versus

1. The State of Tamilnadu, rep by
The Principal Secretary to Government,
Finance Department,
Fort St.George, Chennai 600 009.
2. The Director of Public Health and
Preventive Medicine,
Chennai 600 006.
3. The Deputy Director of Health Services,
Poonamallee,
Chennai 600 056,
Tiruvallur District.

.. Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, seeking for a writ of mandamus directing the second respondent to fix the Selection Grade pay as per the Lr.No.63305/Pay Cell/2010-1 dated 08.11.2010 and G.O.Ms.No.65, Finance (Pay Cell) Department dated 26.02.2011 issued by the first respondent and also to pay the arrears at the rate of 9300-34800+4200 with effect from 01.03.2011 to the petitioner by considering his representation dated 02.01.2015.

For Petitioner : Mr.N.Manokaran

For Respondents : Mr.N.Srinivasan,
Additional Government Pleader

ORDER

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

2. The petitioner was appointed as Driver on 13.07.2000 in the office of the Primary Health Centre, Thirunindravur and his probation was declared on 13.07.2002. The 1st respondent has issued G.O.Ms.No.65, Finance [Pay Cell] Department dated 26.0.2011, by allowing revision of scales of pay of all the drivers and on 14.03.2011, the very same respondent has issued another proceedings for revision of pay scales and some of them had approached this Court by filing WP.No.133 to

144/2012 for conferring selection grade scale of pay and also arrears and this Court, vide order dated 22.01.2013, has passed a positive order.

3. This Court, on the subsequent writ petition filed in WP.No.25936/2013, has passed an order on 20.06.2014, directing the respondents 2 and 3 therein, viz., the Collector, Salem District and the Commissioner of Tharamangalam Panchayat Union to take into consideration Letter No.63305/Pay Cell/2010-1 dated 08.11.2010 and G.O.Ms.No.65, Finance [Pay Cell] Department, dated 26.02.2011 and pass appropriate orders. The grievance of the petitioner is that though he is entitled to the similar benefit as that of the petitioner in WP.No.25936/2013 and in spite of the fact that he has also submitted representation that regard to the 1st respondent, no orders have been passed and hence, he came forward to file this writ petition.

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

5. Though the petitioner has prayed for a larger relief, this Court, in the light of the above facts and circumstances, directs the 1st respondent to consider and dispose of the petitioner's representation dated 08.01.2015 on merits and in accordance with law, after taking note of the above cited letter dated 08.11.2010 as well as the Government Order 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 petitioner.

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

AP

Sd/-

Assistant Registrar (CS-III)

/True Copy/

Sub-Assistant Registrar

To

1. The Principal Secretary to Government,
State of Tamilnadu, Finance Department,
Fort St.George,
Chennai 600 009.
2. The Director of Public Health and
Preventive Medicine,
Chennai 600 006.

3. The Deputy Director of Health Services,
Poonamallee, Chennai 600 056,
Tiruvallur District.

+1 C.C. To MR.N.Monakaran, Advocate in SR.NO.55899

+1 C.C. To Government Pleader in SR.NO.55961

W.P.No.32416/2015

CTK(CO)
sd : 28/10/2015



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