

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATE: 13.10.2015

CORAM

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

W.P.No.32503/2015 and M.P.No.1 of 2015

The Salem Kutturavu Sakkarai Alai
Polytechnic College Paniyalargal
Padukappu Sangam
(Regn.No.112/NMK/16/07/2002)
rep by its Secretary A.Gnanaprakasam ... Petitioner

Vs

- 1.The Director of Sugars,
E.V.R.Periyar Maligai,
690, Anna Salai,
Nandanam,
Chennai - 35.
- 2.The Managing Director,
The Salem Co-Op Sugar Mills Ltd,
Mohanur,
Namakkal District. ... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, to issue a writ of mandamus Directing the respondents 1 and 2 to dispose of the representations of the petitioner dated 26.8.2015 following the judgment of this Honourable Court in its order dated 28.4.2008 in W.A. Nos.1962 of 2005 filed by the second respondent within a time limit as may be fixed by this Honourable Court

For Petitioner : Mr.M.Govindarraaj
For Respondents : Mr.R.Balaramesh, AGP (Co.Op)

ORDER

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

2 The petitioner would state that the 2nd respondent/Polytechnic was started in the year 1984 under Self-Financing

Category subject to various conditions imposed by the
<https://hcservices.ecourts.gov.in/hcservices/>

Education Department of the Government of Tamil Nadu and one of the conditions was that the recruitment of staff, shall be done as per the rules applicable to the Government Aided Polytechnic. It is the claim of the petitioner that from the year 1985 onwards, the 2nd respondent had fixed the staffs' salary on par with the Government Aided Polytechnic and even after the implementation of the V and VI Pay Commission Recommendation, the Dearness Allowance and scale of pay have not been paid on par with the Government Aided Polytechnic ; and whereas the Dharmapuri Sugar Mills Polytechnic has implemented the Pay Commission Recommendation. It is also stated by the petitioner that during the year 2003, Matriculation Teachers Association filed WP.No.32710/2003 against the respondents praying for pay revision on par with the Government norms and the writ petition was allowed on 19.11.2003 and as against the said order, WA.No.1962/2005 etc., batch was filed by the 2nd respondent/Management and the said writ appeals have also ended in dismissal on 28.04.2008. Since the members of the petitioner are similarly placed like that of Teachers of Government Aided Polytechnic, the petitioner prayed for salary on par with the Government Aided Polytechnic and in this regard, he has submitted representations dated 20.08.2015 and 26.08.2015 to the respondents and since no orders have been passed, he came forward to file this writ petition.

3 Heard the learned counsel for the petitioner and Mr.R.Bala Ramesh, learned Additional Government Pleader who accepts notice on behalf of the respondents.

4 Though the petitioner has prayed for a larger relief, this Court, in the light of the above facts and circumstances and without going into the merits of the same, permits the petitioner to submit one more representation to the 1st respondent by enclosing a copy of this order as well as copies of the earlier representations submitted to the 2nd respondent dated 20.08.2015 and 26.08.2015 as well as the Judgment copy made in WA.No.1962/2005 etc., batch within a period of two weeks from the date of receipt of a copy of this order and on receipt of the same, the 1st respondent is directed to consider and dispose of the said representation on merits and in accordance with law and pass orders within a further period of eight weeks thereafter and communicate the decision taken, to the petitioner.

5 The writ petition is disposed of accordingly. No costs. Consequently, the connected miscellaneous petition is closed.

Sd/-

Assistant Registrar

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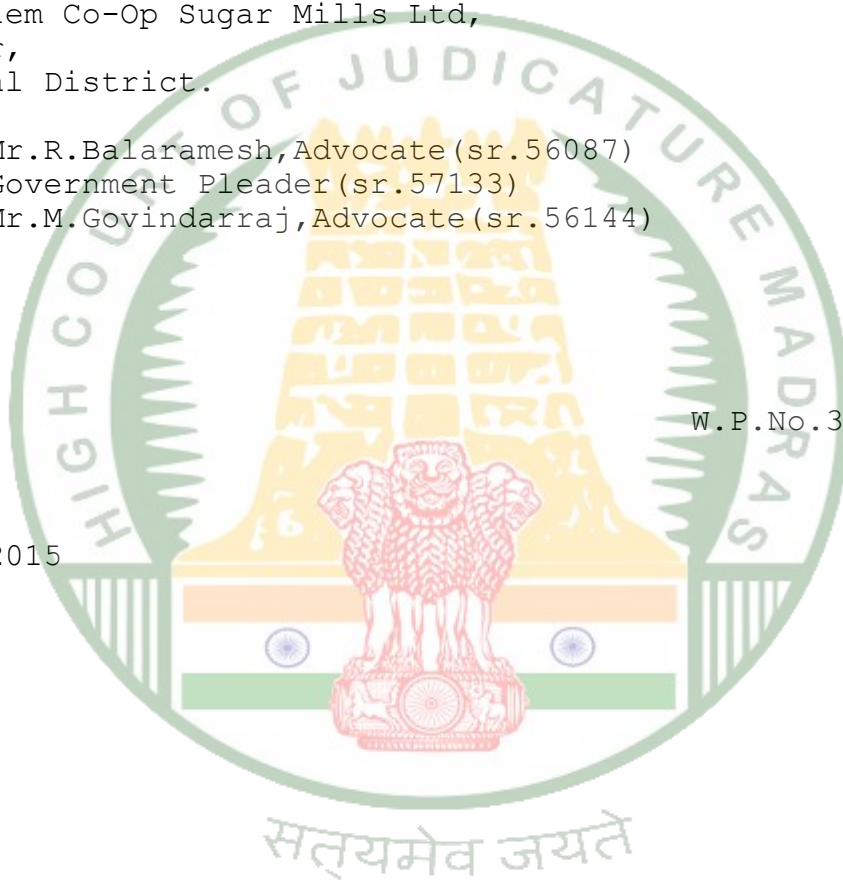
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+1 cc to Mr.R.Balaramesh,Advocate(sr.56087)
+1 cc to Government Pleader(sr.57133)
+1 cc to Mr.M.Govindarraaj,Advocate(sr.56144)

W.P.No.32503/2015

KJI (co)
cp 27/10/2015



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