

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02.11.2015

CORAM

THE HONOURABLE MR. JUSTICE K.KALYANASUNDARAM

W.P.No.35079 of 2015

N.Chandrasahsan

... Petitioner

Vs.

The Commissioner,
Salem Corporation,
Salem, Salem District.

... Respondents in both W.Ps

Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of mandamus directing the respondent to consider the Petitioners' representation dated 27.08.2015 requesting for grant of selection and special grade pay counting the period of non employment from 09.11.1993 to 20.01.1994 and from 01.03.1994 to 04.10.1995 in the light of the orders passed by the respondent in Na.Ka.No.L7/974/01 dated 29.04.2011.

For Petitioner : Mr.P.Manoj Kumar

For Respondents: Ms.K.Bhuvaneshwari, Standing Counsel

O R D E R

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

2. This writ petition is filed seeking for a Mandamus, directing the respondent to consider the Petitioner's representation dated 27.08.2015 for grant of selection and special grade pay counting the period of non employment from 09.11.1993 to 20.01.1994 and from 01.03.1994 to 04.10.1995 in the light of the orders passed by the respondent in Na.Ka.No.L7/974/01 dated 29.04.2011.

3. It is the case of the petitioner that he was appointed as Wireman in the service of the respondent on 07.12.1990. The post of Wireman was re-designated as Skilled Assistant Grade-II in the year 1997 and he was promoted as Skilled Assistant Grade-I in the year 2013.

4. It is the further case of the petitioner that he was discharged from service with effect from 09.11.1993 and reinstated on 21.01.1994 and again discharged on 28.02.1994 and again reinstated on 05.10.1995 for administrative reasons.

It is the claim of the petitioner that the period of non

employment from 09.11.1993 to 20.01.1994 and from 01.03.1994 to 04.10.1995 i.e., for 1 year 9 months and 17 days has to be counted for the purpose of granting Selection grade and special grade pay.

5. It is further contended by the petitioner that one K.Shanmugasundaram, who is similarly placed like that of this petitioner was granted the relief by this Court in W.P.No.18152 of 2006 and based on the order dated 13.04.2007, the respondent has granted the relief sought for by him. The similar benefit has not been conferred to the petitioner and in this regard, the petitioner has submitted a representation dated 27.08.2015 to the respondent and since no order has been passed, the petitioner came forward to file this writ petition.

6. Heard the submissions of Mr.P.Manoj Kumar, learned counsel appearing for the petitioner and Ms.K.Bhuvaneshwari, learned Standing Counsel appearing on behalf of the respondent.

7. This Court, taking into consideration the limited scope of prayer sought for by the petitioner and without going into merits of the same, directs the respondent to consider and dispose of the petitioner's representation dated 27.08.2015 on merits and in accordance with law and pass orders within a period of six weeks from the date of receipt of a copy of this order.

The Writ Petition is disposed of accordingly. No costs.

vsm

Sd/-
Asst.Registrar

/true copy/

सत्यमेव जयते

Sub Asst. Registrar

To

The Commissioner,
Salem Corporation,
Salem, Salem District.

+ 1 cc to Mr.P.Manoj Kumar, Advocate Sr 60345.

+ 1 cc to Ms.K.Bhuvaneshwari, Advocate Sr 59578.

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AD/CO
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