

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18.12.2015

CORAM

THE HONOURABLE MR.JUSTICE K.KALYANASUNDARAM

W.P.No.36264 of 2015

K. Muthusamy

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PETITIONER

Vs

1.The Secretary to Government,
Municipal Administration &
Water Supply Department (TP-1),
Fort St.George, Chennai - 600 009.

2.The Director of Town Panchayat,
Kuralagam Buildings, Chennai - 108.

3.The Executive Officer,
Thenkarai Town Panchayat,
Thenkarai, Coimbatore District.

..RESPONDENTS

Prayer: The Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the respondents to bring the petitioner under regular time scale from the date on which the petitioner completed three year satisfactory consolidated pay service and to grant all consequential service and monetary benefits in terms of G.O.Ms.No.198 Municipal Administration and Water Supply Department dated 26.10.1998.

For Petitioner : Mr.P.I.Thirumoorthy

For Respondent : Mr.V.Jayaprakash Narayanan
Nos.1 & 2 Special Government Pleader

For Respondent : Mr.M.L.Mahendran
No.3 Government Advocate

O R D E R

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

2. The case of the petitioner is that he was absorbed as NMR in the category of Over Head Tank Operator in the year 1986 on a consolidated pay of Rs.450/- per month. Subsequently, the pay was revised and still, he is discharging his duties of Over Head Tank Operator in the regular sanctioned post.

3. Mr.P.I.Thirumoorthy, the learned counsel for the petitioner submitted that as per G.O.Ms.No.198, Municipal Administration and Water Supply Department dated 26.10.1998 and G.O.Ms.No.142, Municipal Administration and Water Supply Department, dated 23.09.2015, the petitioner is entitled to pay band under regular scale of pay. Since the benefits under the G.Os. were not extended, the petitioner submitted a representation to the respondent on 01.09.2015. However, they have not passed any orders so far and hence, the present writ petition has been filed.

4.Heard Mr.P.I.Thirumoorthy, learned counsel appearing for the petitioner and Mr.V.Jayaprakash Narayanan, learned Special Government, who accepts notice on behalf of the first and second respondents as well as Mr.M.L.Mahendran, learned Government Advocate, who accepts on behalf of the third respondent.

5. This Court considering the submission of the learned counsel for the petitioner and without going into the merits of the case, directs the third respondent to consider and dispose of the representation of the petitioner dated 01.09.2015 and also taking into consideration the G.O.Ms.No.198, Municipal Administration and Water Supply Department dated 26.10.1998 and G.O.Ms.No.142, Municipal Administration and Water Supply Department, dated 23.09.2015, and pass appropriate orders on merits and in accordance with law, 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.

With the above direction, this writ petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

sms

To

1.The Secretary to Government,
Municipal Administration &
Water Supply Department (TP-1),
Fort St.George, Chennai - 600 009.

2.The Director of Town Panchayat,
Kuralagam Buildings, Chennai - 108.

3.The Executive Officer,
Thenkarai Town Panchayat,
Thenkarai, Coimbatore District.

+1cc to Mr.P.I. Thirumoorthy, Advocate, S.R.No.68713

+1cc to the Government Pleader, S.R.No.68804

SVI (CO)
EU (8/01/2015)

W.P.No.36264 of 2015



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