

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.03.2015

CORAM:

THE HONOURABLE MR. JUSTICE K.K.SASIDHARAN

Writ Petition No.25771 of 2013
& M.P.No.1 of 2013

1 V.S.JAGANATHAN

[PETITIONER]

Vs

1 TAMILNADU COOPERATIVE
OILSEEDS GROWERS FEDERATION LTD.
RRP. BY ITS LIQUIDATOR
55, T.V.K.INDUSTRIAL ESTATE
EKKATTUTHANGAL, CHENNAI-97

2 THE COMMISSIONER
CIVIL SUPPLIES AND CONSUMER PROTECTION DEPARTMENT
4TH FLOOR, EZHILAGAM
CHEPAUK, CHENNAI-5

3 COMMISSIONER
DEPARTMENT OF AGRICULTURE
CHEPAUK, CHENNAI-5

4 GOVERNMENT OF TAMILNADU
REP. BY ITS SECRETARY
DEPARTMENT OF AGRICULTURE
CHEPAUK, CHENNAI-5

[RESPONDENTS]

Petition filed under Article 226 of the Constitution of India for the issuance of writ of Mandamus directing the respondents 1 to 4 to pay (i) Grade II Pay from 1.10.1990 (ii) Grade I pay from 1.10.1992 (iii) selection grade pay on the expiry of 10 years viz. 1.10.2002 (iv) Special grade pay on expiry of 20 years i.e. 1.10.2012 together with arrears from the date it was actually due to the petitioner within a time frame fixed by this Honourable court award costs

For Petitioner
For Respondents

: Mr.S.Saravanakumar
: Mr.P.Anbarasan for R1
Mr.P.Sanjay Gandhi, AGP
for R2 to R4

O R D E R

The petitioner joined the service as Assistant on 20.11.1987. According to the petitioner, he should have been upgraded to the post of Grade II on 1.10.1990, Grade I on 1.10.1992 in accordance with the service Regulations. It is his grievance that the first respondent by proceedings dated 12.01.1996 directed payment. Even then, the second respondent has not taken follow up action to pay the benefits.

2. The petitioner ultimately submitted a representation on 16.05.2013, requesting the respondents to pay the Grade pay and Special Grade pay, on expiry of 20 years of service. Since there was no follow up action taken by the respondents, the petitioner has come up with this Writ Petition.

3. The first respondent in his counter affidavit contended that it is for the second respondent to take a decision in the matter.

4. The second respondent is directed to consider and dispose of the representation submitted by the petitioner dated 16.05.2013 on merits and as per law and more particularly in the light of proceedings dated 12.01.1996 on the file of first respondent. Such exercise shall be completed within a period of three months from the date of receipt of a copy of this order.

5. The Writ Petition is disposed of with the above direction. No costs. The connected Miscellaneous Petition is closed.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

ajr
To

- 1 THE LIQUIDATOR
TAMILNADU COOPERATIVE
OILSEEDS GROWERS FEDERATION LTD.
55, T.V.K.INDUSTRIAL ESTATE
EKKATTUTHANGAL, CHENNAI-97
- 2 THE COMMISSIONER
CIVIL SUPPLIES AND CONSUMER PROTECTION DEPARTMENT
4TH FLOOR, EZHILAGAM
CHEPAUK, CHENNAI-5
- 3 COMMISSIONER
DEPARTMENT OF AGRICULTURE
CHEPAUK, CHENNAI-5

4 The SECRETARY
GOVERNMENT OF TAMILNADU
DEPARTMENT OF AGRICULTURE
CHEPAUK, CHENNAI-5.

1 cc to Government Pleader, Sr.No14786
1 cc to Mr.P.Anbarasan ,Advocate, SR.No.14548
1 cc to Mr.S.Saravanakumar ,Advocate, SR.No.14603

W.P.No.25771 of 2013

lrs(co)
pmk.8.4.2015



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