



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 13.08.2015

C O R A M

THE HONOURABLE MR.JUSTICE T.RAJAW.P.(MD)No.14518 of 2015

T.Sankara Narayanan

.. Petitioner

Vs.

1.The Government of Tamil Nadu,
rep. by its Secretary,
Animal Husbandry & Fisheries
Department,
Secretariat, Fort St.George,
Chennai-600 009.

2.The Commissioner/Director of
Fisheries,
D.M.S.Compound,
Teynampet,
Chennai-600 006.

3.The Chief Engineer,
Fishing Harbor Project Circle,
D.M.S.Compound,
Teynampet,
Chennai-600 006.

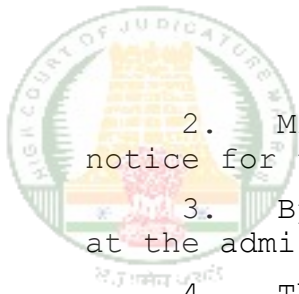
..Respondents

Prayer : Petition filed under Article 226 of the Constitution of India for the issuance of a Writ of Mandamus directing the Respondent Nos.2 and 3 to provide Special Grade Scale on completion of 20 years service from 12.5.2011 and Super Grade Scale on completion of 30 years service as Junior Engineer as per G.O.Ms.No.562 Finance (PAY CELL) Department dated 28.9.1998 along with all consequential monetary benefits and notional benefits from 11.5.2011 within the time stipulated by this Hon'ble Court.

For Petitioner : Mr.T.Lajapathi Roy

For Respondents : Mr.S.Sadees Kumar
Additional Govt. Pleader*****O R D E R

The petitioner/T.Sankara Narayanan has filed the present Writ Petition seeking issuance of a Writ of Mandamus directing the second and third respondents to provide Special Grade Scale on completion of 20 years service from 12.5.2011 and Super Grade Scale on completion of 30 years service as Junior Engineer as per G.O.Ms.No.562 Finance (PAY CELL) Department dated 28.9.1998 along with all consequential monetary benefits and notional benefits from 11.5.2011.



2. Mr.S.Sadeshkumar learned Additional Government Pleader takes notice for the respondents.

3. By consent, this Writ Petition is taken up for final disposal at the admission stage itself.

4. The petitioner was appointed as Junior Engineer under Rule 10 (a) (1) of the State and General Subordinate Service Rules at Port Office, Rameswaram on 10.01.1980. After completion of 10 years, he was granted Selection Grade on 28.12.1993. After completion of the service of 32 years, he retired from service on 30.06.2012.

5. In this background, the grievance of the petitioner is that he is entitled for Special Grade Scale on completion of 20 years, as per G.O.Ms.No.68 dated 23.11.1986 and Super Grade Scale, on completion of 30 years in the light of G.O.Ms.No.562 Finance (Pay Cell) Department, dated 28.09.1998. But both payments were not disbursed to the petitioner. Hence, the petitioner has come before this Court.

6. It appears that the petitioner after his appointment retired in the same position. Therefore, he pleaded that the above said G.O is applicable to him. But this Court without going into the merits of the case, directs the second respondent/the Commissioner/Director of Fisheries, to consider the representation of the petitioner dated 10.03.2014 that has already been acknowledged on 29.04.2014 and pass appropriate orders on merits and in accordance with law, within a period of four weeks from the date of receipt of a copy of this order. It is made clear that the respondents should bear in mind the pendency of the charge or departmental proceedings if any.

7. With the above direction, this Writ Petition is disposed of. No costs.

Sd/-

Assistant Registrar

/True Copy/

Sub Assistant Registrar.

To

1.The Secretary to the Government of Tamil Nadu, Animal Husbandry & Fisheries Department, Secretariat, Fort St.George, Chennai-600 009.

2.The Commissioner/Director of Fisheries, D.M.S.Compound, Teynampet, Chennai-600 006.

3.The Chief Engineer, Fishing Harbor Project Circle, D.M.S.Compound, Teynampet, Chennai-600 006.

1CC to The Special Government Pleader SR.No.46726.

W.P. (MD) No.14518 of 2015
13.08.2015

2P/5C

AM/GSV.PM/SAR(J)/08.09.2015.