



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 08.12.2015

CORAM :

WEB COPY

THE HONOURABLE MR.JUSTICE D.HARIPARANTHAMAN

W.P(MD)No.21882 of 2015

N.Krishnasamy

... Petitioner

Vs.

1.The Secretary to Government,
Fincance(Pay Cell) Department,
Secretariat,
Chennai - 600 009.

2.The Director of Agriculture,
Chepauk,
Chennai - 600 005.

3.The Joint Director of Agriculture,
Kattu Thottam,
Thanjavur.

... Respondents

Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus directing the respondents to consider the representations, dated 20.10.2014 and 13.11.2015 of the petitioner regarding first refixation of the pay of the petitioner in the scale of Rs.7000-11500 ie., in the pre revised scale of the same cadre and then with the corresponding revised scale of pay ie., Rs.9300-34800 + Grade Pay of Rs.4800 and then accordingly refix the pension also within a specified time frame that may be fixed by this Honourable High Court.

For Petitioner : Mr.S.Visvalingham
For Respondents : Mr.S.Sadeskumar, AGP

O R D E R

The prayer in the writ petition lies in a narrow compass.

2.The petitioner was working as Depot Manager Grade -I under the control of Joint Director of Agriculture, Thanjavur. He retired from service on 30.06.2015. The grievance of the petitioner is that his pay in the cadre of Depot Manager Grade-I should have been fixed from Rs.7000-11500(pre revised) with corresponding revised scale of pay from Rs.9300-34800 + Grade Pay of Rs.4800. This recommendation of the one Man Commission has been accepted by the Government as per G.O.Ms.No.257 Finance(Pay Cell) Dapartment, dated 26.08.2010. But the Government have not ordered in the above said G.O to refix the pay from Rs.7000-11500 ie., pre revised and then with the corresponding revised scale of pay ie., Rs.9300-34800 + Grade Pay of Rs.4800. Therefore, the third respondent has refixed his pay directly to Rs.9300-34800 + Grade Pay of Rs.4800 without bringing to Rs.7000-11500 which was the pre-existing pay



of the same Cadre in the Department. Hence, he made representations, dated 20.10.2014 and 13.11.2015, to the respondents in this regard.

3. Now the learned counsel for the petitioner has made a limited prayer for disposal of the petitioner's representation dated 13.11.2015, by the 1st respondent within a stipulated period.

4. In view of the limited relief sought for, the writ petition is disposed of, directing the 1st respondent, to consider the representation of the petitioner, dated 13.11.2015 and pass appropriate orders on merits and in accordance with law, within a period of twelve weeks from the date of receipt of a copy of this order. No costs.

Sd/-

Assistant Registrar(CS-II)

/True Copy/

Sub Assistant Registrar.

To

1. The Secretary to Government,
Finance (Pay Cell) Department,
Secretariat,
Chennai - 600 009.

2. The Director of Agriculture,
Chepauk,
Chennai - 600 005.

3. The Joint Director of Agriculture,
Kattu Thottam,
Thanjavur.

+1CC to Mr. S. Visvalingam, Advocate, SR.No. 70280

+1CC to The Special Government Pleader SR.No. 70383

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AM/16.12.2015/SK.SKN/2P/6C