

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08.06.2016

CORAM:

THE HONOURABLE MR.JUSTICE B.RAJENDRAN

WP.No.6889 of 2007

Deva Gunaseelan

Petitioner

Vs

1.The Deputy Inspector General of Police
Tirunelveli

2.The Superintendent of Police, Tirunelveli Respondents

Prayer:- This Writ Petition came to be filed under Article 226 of the Constitution of India, by transfer of OA.No.5606 of 2002 from the file of the Tamil Nadu Administrative Tribunal, to issue a Writ of Mandamus to direct the Respondents to refix the basic pay of the Petitioner from Rs.4500/- to Rs.5100/- on par with his juniors and to award all consequential benefits.

For Petitioner : Mr.M.S.Soundararajan

For Respondent : Mr.P.Chinnadurai, GA

ORDER

In this Writ Petition, the Petitioner seeks for a direction to the Respondents to refix the basic pay from Rs.4500/- to Rs.5100/- on par with his juniors and to award all consequential benefits.

2. This court heard the learned counsel on either side and considered their submissions carefully and also the materials placed on record.

3. It is the case of Petitioner that he joined in service as Grade II Police Constable in the year 1976 and in the year 1994, he was promoted as Grade I Police Constable. Contending that his juniors are getting higher pay, this Writ Petition has been filed with the prayer as stated above.

4. On a careful scrutiny of the petition and on considering the submissions of the learned counsel on either side, this Court is of the considered view that the prayer of the Petitioner to refix the basic pay on par with his juniors cannot be granted, inasmuch as it has been clearly stated by the learned

Government Advocate for the Respondents that the presumptive pay taking into account the Special Grade of Grade II Police Constables need not be considered since the Grade II PC was upgraded as Grade I PC without promotion as per adhoc rules and that there is also no provisions to consider the Special Grade pay in the second level lower post. Accordingly, this Writ Petition is dismissed. No costs.

Sd/-
Asst.Registrar (CCC)

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Sub Asst. Registrar

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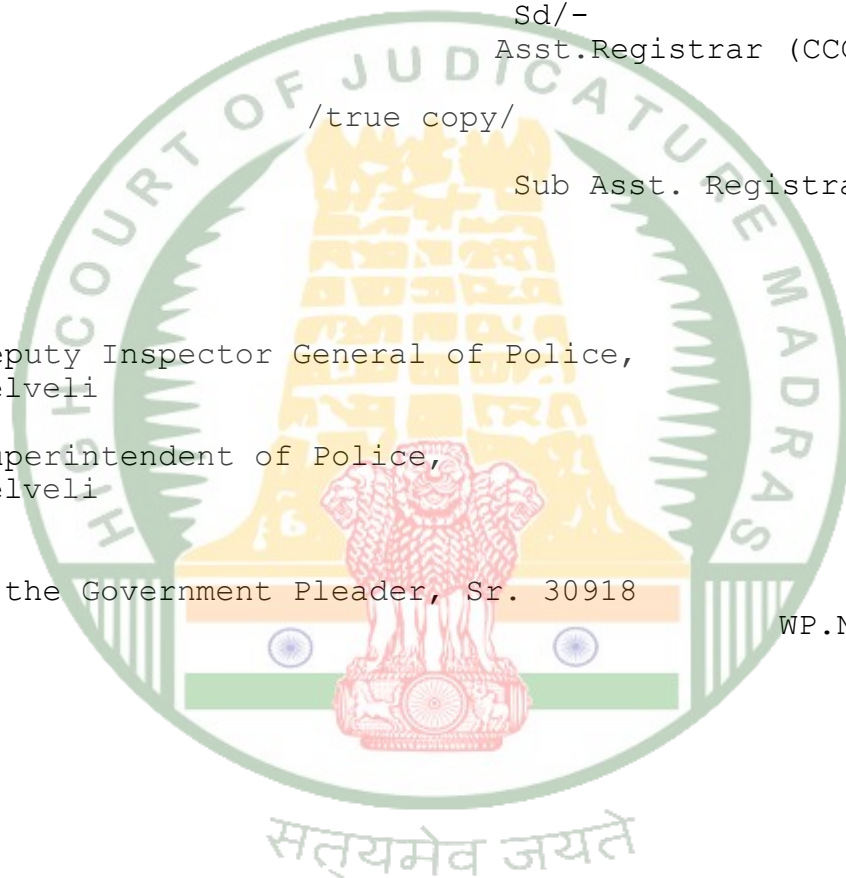
To:

- 1.The Deputy Inspector General of Police,
Tirunelveli
- 2.The Superintendent of Police,
Tirunelveli

1 cc to the Government Pleader, Sr. 30918

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