

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.10.2016

CORAM

THE HONOURABLE MR. JUSTICE R.SUBBIAH

Writ Petition No.36926 of 2016

Dr.R.Venkatesh

...Petitioner

.vs.

1.The Secretary to Government,
Municipal Administration and Water Supply Department,
St.George Fort,
Chennai - 600 009.

2.The Director,
Tamil Nadu Institute of Urban Studies,
Coimbatore.

...Respondents

Writ Petition has been filed under Article 226 of the Constitution of India, praying for a Writ of Mandamus, directing the respondents to revise the petitioner's salary as per UGC norms, pending annual increment, Last pay drawn and Service Certificates, EPF benefits and sanctioning of Surrender of earned leave with all other related benefits.

For Petitioner : Mr.L.Murugan

For Respondents : Mr.K.Dhananjayan, Spl.GP.

ORDER

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

2. The Writ Petition has been filed seeking to issue a Writ of Mandamus, directing the respondents to revise the petitioner's salary as per UGC norms and to sanction other related benefits.

3. The case of the petitioner is that he was appointed as Assistant Professor in Tamil Nadu Institute of Urban Studies, Coimbatore and joined duty on 02.03.2009 in the pre-revised scale of pay of Rs.8000-275-13500. Subsequently, his scale of pay was revised as per G.O.No.350, Higher Education (H1) Department, dated 09.09.2009 and was fixed in the scale of pay 15600-39100 with annual grade pay of Rs.6000/-.

4. The further case of the petitioner is that he applied through proper channel for the post of Assistant Professor in the University of Madras and got appointment there and was relieved from the Tamil Nadu Institute of Urban Studies on 10.06.2014 A.N. and joined in the Madras University on 11.06.2014 F.N.

5. It is also the case of the petitioner that his annual increment falls on 01.01.2014. Since the 1st respondent has not yet issued the last pay drawn Certificate till date, he could not claim the full salary and other monetary benefits from the present employer. While so, on 10.06.2014, the petitioner has given a written request to the 1st respondent to implement the revision of pay and allowances as per UCG pay scale and also to issue Last Pay Drawn Certificate and Service Certificates. Finally, the petitioner made a representation dated 30.06.2016 to the 1st respondent through registered post seeking the very same relief. But till date no action has been taken on the same. Hence the present Writ Petition.

6. Heard the learned Counsel for the petitioner and the learned Special Government Pleader who has taken notice on behalf of the respondents.

7. Considering the facts and circumstances, without going into the merits of the claim of the petitioner, this Court directs the petitioner to give a copy of the representation dated 30.06.2016 to the 1st respondent along with a copy of this Order within a period of two weeks from the date of receipt of a copy of this Order and on receipt of the same, the 1st respondent is directed to consider the same and pass appropriate orders on merits and in accordance with law, within a period of six weeks thereafter. It is made clear that this Court has not expressed any opinion regarding the merits of the claim made by the petitioner. It is for the 1st respondent to decide the same on merits.

8. With the above direction, all the writ petition is disposed of. No costs.

Sd/-
Asst.Registrar (CS VII)

/true copy/

Sub Asst. Registrar

To

1.The Secretary to Government,
Municipal Administration and Water Supply Department,
St.George Fort,
Chennai - 600 009.

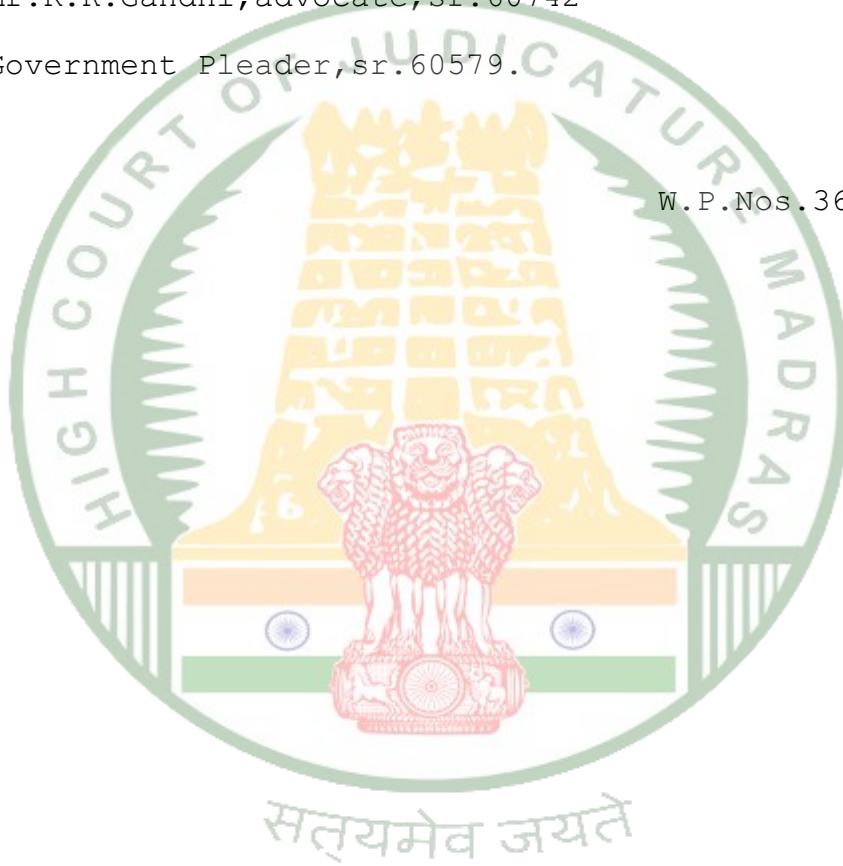
2.The Director,
Tamil Nadu Institute of Urban Studies,
Coimbatore.

+1 cc to Mr.R.K.Gandhi,advocate,sr.60742

+1 cc to Government Pleader,sr.60579.

pk(co)
krd 23/11

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