

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.09.2016

CORAM

THE HONOURABLE MR.JUSTICE R.SUBBIAH

W.P.No.9537 of 2016

- 1.T.G.Subramaniam
- 2.U.Bagavathy
- 3.K.Chandra Sekaran
- 4.C.Jayaraman
- 5.R.Elumalai
- 6.G.Subramani
- 7.A.M.Palaniamy
- 8.A.T.Chandran
- 9.R.Deenadayalan
- 10.K.Perumal
- 11.P.M.Sampath
- 12.R.Jaya

.... Petitioners

Vs.

- 1.The Secretary of Government,  
Rural Development & Panchayat Raj Department,  
Fort St. George,  
Chennai-09.
- 2.The Director,  
Rural Development and Panchayat Department,  
Panakal Building,  
Saidapet, Chennai-15.
- 3.The Principal Accountant General,  
361, Anna Salai,  
Chennai-600 018.

- 4.The District Collector,  
Thiruvallur.

.... Respondents

Writ Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus, to direct the respondents 2 & 3 to consider the representation dated 23.12.2014 relating to the implementation of the order dated 01.06.1977 of the 1st respondent in G.O.Ms.No.856 to the petitioners as were done by him to other person.

For Petitioners : Mr.G.Murugendran

For respondents : Mr.S.Gunasekaran, AGP

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#### ORDER

This writ petition has been filed by the petitioner praying for issuance of a Writ of Mandamus, to direct the respondents 2 & 3 to consider the representation dated 23.12.2014 relating to the implementation of the order dated 01.06.1977 of the 1st respondent in G.O.Ms.No.856.

2. In the affidavit filed in support of the writ petition, it has been averred by the petitioner as follows:-

2-1. The petitioners were originally appointed as Road Inspectors in the Highways & Rural Works Department during the years, 1971 to 1973 and subsequently, their services were regularized. Thereafter, they were promoted as Road Inspector Grade-I and subsequently, the petitioners were adopted by the 2nd respondent herein. Now, the petitioners were retired from the service on various dates.

2-2. It is further stated by the petitioners that by way of G.O.Ms.No.856/PWD, dated 01.06.1977, the educational qualification for Road Inspector Grade-II was modified from a pass in S.S.L.C to pass in S.S.L.C with Bifurcated Engineering Course and the qualifying service for the promotion was reduced from 10 years to 5 years for the Road Inspector Grade-I. By the said G.O., the direct recruitment to the post of Road Inspector Grade-I was dispensed with; thus, by the said G.O., the Department has made changes in the mode of recruitment, fixation of seniority and pay structure. Pursuant to the said G.O., some of the employees are enjoying the benefits of the said G.O. But, the petitioners herein were not given the benefit under the said G.O. Hence, the petitioners made representations to the respondents to extend the benefit of the said G.O. to the petitioners herein also. Since the petitioners' representations were not considered, they have come forward with the present writ petition.

3. Heard the learned counsel for the petitioner as well as the learned Additional Government Pleader appearing for the respondents and perused the materials available on record.

4. Considering the facts and circumstances of the case, this Court directs the petitioners to give fresh representation to the 2nd respondent, by enclosing a copy of this order, within a period of one week from the date of receipt of a copy of this order. On such representation being made, the 2nd respondent is directed to consider the same and pass appropriate order, on merits and in accordance with law, within a period of six weeks thereafter.

With the above direction, the writ petition is disposed of. Consequently, connected Miscellaneous Petition is closed. No costs.

Sd/-  
Asst.Registrar (CS IV )

/true copy/

Sub Asst. Registrar

To

1.The Secretary of Government,  
Rural Development & Panchayat Raj Department,  
Fort St. George,  
Chennai-09.

2.The Director,  
Rural Development and Panchayat Department,  
Panakal Building,  
Saidapet, Chennai-15.

3.The Principal Accountant General,  
361, Anna Salai, Chennai-600 018.

4.The District Collector, Thiruvallur.

+1 cc to M/s.G.Murugendran,advocate,sr.51540.

rp(co)  
krd 30/9

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