



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 04.10.2016

CORAM:

**THE HONOURABLE MR.SANJAY KISHAN KAUL, CHIEF JUSTICE**

AND

**THE HONOURABLE MR.JUSTICE S.NAGAMUTHU**

**W.A. (MD) .No.1197 of 2016**

and

**C.M.P. (MD) .No.7849 of 2016**

1.The District Collector,  
Collectorate,  
Madurai District.

2.The Pay and Accounts Officer,  
Periyar Bus Stand,  
Madurai.

... Appellants/Respondents

Vs.

A.Murugan

... Respondent / Petitioner

**PRAYER:** Writ Appeal is filed under Clause 15 of the Letters Patent against the order dated 30.10.2012 made in W.P.(MD).No.12222 of 2012 on the file of this Court.

Prayer in WP(MD). 12222/ 2012 :

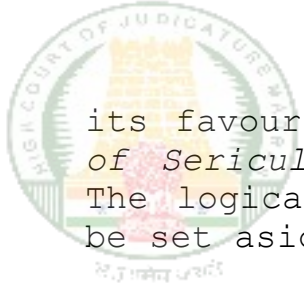
Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a Writ of Mandamus, directing the respondents to grant to the petitioner, Selection Grade and Special Grade Scale of pay as indicated in Schedule - II of the Tamil Nadu Revised Scales of Pay Rules 1998 at Rs. 5000-8000/- and Rs. 5500-9000/- respectively to the petitioner /Driver from 01.01.1996 and 03.10.2005 respectively with all consequential monetary benefits and to pay all arrears within a stipulated time period.

|                |                                                         |
|----------------|---------------------------------------------------------|
| For Appellants | : Mr.A.K.Baskara Pandian,<br>Special Government Pleader |
| For Respondent | : Mr.M.Ravi                                             |

### JUDGMENT

[Judgment of the Court was made by **The Hon'ble The Chief Justice**]

On hearing the learned counsel for the parties, it cannot be seriously disputed that the case of the appellants is covered in



its favour in view of the judgment of this Court in *The Director of Sericulture Department, Salem v. K.Kumar, 2015 (4) CTC 241*. The logical consequence, thus, is that the impugned order has to be set aside.

2. We put to learned counsel for the parties that since the aforesaid judgment is being tested before the Hon'ble Supreme Court, there may be no purpose in multiplying litigation and the view taken by the Supreme Court can be made applicable to the present case.

3. The aforesaid course of action is acceptable to both the learned counsel for the parties.

4. This appeal is disposed of in the aforesaid terms. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-  
Assistant Registrar (CS-I)

/True Copy/

Sub Assistant Registrar

gcg/gb

To,

1.The District Collector,  
Collectorate,  
Madurai District.

2.The Pay and Accounts Officer,  
Periyar Bus Stand,  
Madurai.

+1CC to Spl.Government Pleader Sr.No.59386

GJM/SS3/24.10.16-2p-4C

JUDGMENT MADE IN  
W.A. (MD) .No.1197 of 2016  
04.10.2016