



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 03.10.2016

CORAM

The HON'BLE MR.SANJAY KISHAN KAUL, CHIEF JUSTICE
AND

The HON'BLE MR.JUSTICE S.NAGAMUTHU

WEB COPY

W.A. (MD) No.1334 of 2016

1. The Secretary to Government
Public Works Department
Secretariat, Chennai - 9.

2. The Executive Engineer
Public Works Department
Periyar Dam Special Division
Cumbum, Theni District.

.. Appellants

Vs.

S.Radhakrishnan

.. Respondent

PRAYER: Writ Appeal filed Under close 15 of Letters Patent against the order of the learned Single Judge dated 01.08.2013 made in W.P. (MD) No.12866 of 2013.

Prayer in WP(MD)No. 12866/2016 :

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 extend the benefits granted as per serial no.8, schedule-II as per paragraph -4 of the order and Rule 3(1) of G.O.Ms.No. 162 Finance (Paycell) Department dated 13.4.1998 to the petitioners also by granting Ordinary Grade Rs.4000-100-6000 and selection grade Rs.5000-150-8000 and Special Grade Rs.5500-175-9000 according to their total service rendered within a specified time frame that may be fixed by this Court.

For Appellants : Mr.A.K.Baskara Pandian
Special Government Pleader

For Respondent : Mr.S.Visvalingam

JUDGMENT

(Delivered by the *Hon'ble Chief Justice*)

On hearing the learned counsel for the parties, it cannot be seriously disputed that the case of the appellant is covered in its favour in view of the judgment of this Court in *The Director of Sericulture, Salem v. K.Kumar, 2015 (4) CTC 241*. The logical consequence, thus, is that the impugned order has to be set aside.



(2)

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.

This appeal is disposed of in the aforesaid terms. No costs. Consequently, C.M.P. (MD) No.9510 of 2016 is closed.

Sd/-

Assistant Registrar(Writs)

/TRUE COPY/

Sub Assistant Registrar

+1cc to M/S.THE SPECIAL GOVERNMENT PLEADER, SR NO: 58546

+1cc to M/S.S.VISVALINGAM,ADVOCATE SR NO:58369

sasi

JA-GSV-PM-17.10.2016/2P:3C

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