



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:03.02.2016

CORAM:

WEB COPY

THE HONOURABLE MRS.JUSTICE PUSHPA SATHYANARAYANA

W.P (MD)No.2403 of 2016

K.Ramesh Kumar

... Petitioner

Vs.

The Commissioner,
Madurai Corporation,
Anna Maligai,
Madurai.

... Respondent

Prayer: Writ Petition is filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondent to consider the petitioner's representation, dated 14.12.2015 seeking to treat him as Skilled Assistant Grade II from the date of his initial appointment and also to grant him monetary and other consequential benefits within the period that may be stipulated by this Court.

For Petitioner : Mrs.M.Sakuntala

For Respondent : Mr.R.Prabhu Ramachandran takes notice

ORDER

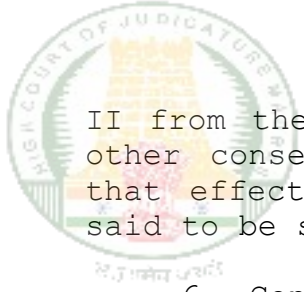
Mr.R.Prabhu Ramachandran, learned counsel takes notice for the respondent.

2. By consent, the writ petition is taken up for disposal at the admission stage itself.

3. This Writ petition has been filed praying for a Writ of Mandamus directing the respondent to consider the petitioner's representation, dated 14.12.2015 seeking to treat him as Skilled Assistant Grade II from the date of his initial appointment and also to grant him monetary and other consequential benefits, within a stipulated period.

4. The petitioner was sponsored by employment exchange as he possessed I.T.I Diploma Certificate, for the Post of Electrician Motor Attender as the said Post can handled only by the persons having technical qualifications, who has knowledge to operate and maintain deep bore well pump sets and motor pump sets of 60 to 325 HP and 11000/440 V Heavy Tension Voltage Transformers.

5. In view of the above, the petitioner should have been treated as Skilled Assistant Grade II as the Post of Electrician Motor Attender, does not find place in the Service Rules. Hence, the scale of pay of the petitioner was fixed in the category of Unskilled Assistant coming under Class IV. As the pay scale is not commensurate with his qualification, the petitioner seeks a direction to treat him as Skilled Assistant Grade



II from the date of initial appointment and also to grant monetary and other consequential benefits and he has also made a representation to that effect on 14.12.2015 to the respondent Corporation. The same is said to be still pending. Hence, the present Writ Petition.

6. Considering the above stated circumstances, without expressing any opinion on the claim made by the petitioner, the respondent is directed to consider the representation of the petitioner, dated 14.12.2015 and pass orders on the same, on merits and in accordance with law, within a period of four weeks from the date of receipt of a copy of this order.

7. With the above direction, the Writ Petition is disposed of. No Costs.

Sd/-
Assistant Registrar (AE)

/True Copy/

Sub Assistant Registrar

To

The Commissioner,
Madurai Corporation,
Anna Maligai,
Madurai.

+ 1 CC TO M/S.M.SAKUNTHALA DEVI, ADVOCATE IN SR NO. 6663

PM
TE/AAL-MPA/ : 16/02/2016 : 2P/3C

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03.02.2016