



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 08.03.2016

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THE HONOURABLE **MRS.JUSTICE PUSHPA SATHYANARAYANA**

WEB COPY

W.P (MD) .No.3628 of 2016

A.MEENAKSHI SUNDARAM

.. Petitioner

Vs.

1. THE COMMISSIONER,
HINDU RELIGIOUS CHARITABLE ENDOWMENT DEPARTMENT,
NUNGAMBAKKAM HIGH ROAD,
CHENNAI - 34.

2. THE JOINT COMMISSIONER/THE EXECUTIVE OFFICER,
ARULMIGU MEENAKSHI SUNDARESWAR TEMPLE,
MADURAI, MADURAI DISTRICT. .. Respondents

Writ Petition filed under Article 226 of the Constitution of India for the issuance of a Writ of Mandamus directing the respondents to consider the petitioner's representation dated 18.12.2015 to fix the scale of pay in accordance with the 6th pay commission Revision of Scale of Pay Rules w.e.f. 01.01.2006 and pay the arrears of 6th pay commission within the period of that may be stipulated time by this Hon'ble Court.

For Petitioner	: Mr.C.Venkatesh Kumar
For R1	: Mr.V.Muruganandam
	Additional Government Pleader
For R2	: Mr.S.Manohar

ORDER

The writ petition has been filed for issuance of writ of Mandamus directing the respondents to consider the petitioner's representation, dated 18.12.2015 to fix the scale of pay in accordance with the 6th pay commission Revision of Scale of Pay Rules w.e.f. 01.01.2006 and pay the arrears of 6th pay commission within a stipulated time.

2.Heard the learned counsel appearing on either side.

3.It is the case of the petitioner was appointed as Draughtsman at Arulmigu Meenakshi Sundareswar Temple through Employment Exchange on 01.01.1981. Thereafter, he was promoted as Junior Engineer on 10.06.1991. Later, the post of Junior Engineer was re-designated as Assistant Engineer by G.O.No.290, dated 11.08.2004 with effect from 01.07.1997. Subsequently, the petitioner was promoted as Assistant Executive Engineer on 05.06.2010.



4.Be that as it may, the said G.O.Ms.No.290, dated 11.08.2004 was cancelled by the first respondent by his proceedings, dated 22.10.2012. The petitioner has challenged the same in W.P.No.16058 of 2013 and obtained an interim stay and the matter is still pending.

5.It is the further case of the petitioner that though the petitioner was entitled for arrears of Sixth Pay Commission with effect from 01.01.2006, he was not paid the same. Hence, the petitioner preferred a representation to the first respondent through the second respondent, dated 18.12.2015 to fix the scale of pay in accordance with 6th Pay Commission Revised Scale of Pay Rules with effect from 01.01.2006 and to pay the arrears with effect from 01.01.2006. However, the said representation has not been considered so far. Hence, the present writ petition.

6.Considering the grievance of the petitioner, this Court, without going into the merits of the claim of the petitioner, directed the respondents to consider the representation of the petitioner, dated 18.12.2015 and pass orders on merits and in accordance with law, within a period of four weeks from the date of receipt of copy of this order.

7.The writ petition is disposed of accordingly. No order as to costs.

Sd/-

Assistant Registrar(Record)

/True copy/

Sub Assistant Registrar
Madurai Bench of Madras High Court,
Madurai.

rj2

To

1. THE COMMISSIONER,
HINDU RELIGIOUS CHARITABLE ENDOWMENT DEPARTMENT,
NUNGAMBAKKAM HIGH ROAD, CHENNAI - 34.

2. THE JOINT COMMISSIONER/THE EXECUTIVE OFFICER,
ARULMIGU MEENAKSHI SUNDARESWAR TEMPLE,
MADURAI, MADURAI DISTRICT.

+1 cc to M/S.Ajmal Associates, SR No. 13192
+1 cc to Spcial Governmnet Pleader SR No.13227
+1 cc to Mr.S.Manohar, Advocate, SR No.13720

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