



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED :03.06.2016

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

W.P (MD) No.9798 of 2016

A.Murugan

..Petitioner

vs.

1.The Principal Secretary to Government,
Public Works Department,
Secretariat,
Chennai - 600 009.

2.The Engineer in Chief(WRO),
Chief Engineer (General),
Public Works Department,
Chepauk,
Chennai - 600 005.

..Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Mandamus directing the first respondent ie., the Principal Secretary to Government, Public Works Department, Chennai to pass appropriate orders on petitioner's appeal, dated 27.02.2016 regarding revision of scale of pay on par with his Junior with effect from 01.01.2006 within a specified time frame that may be fixed by this Court.

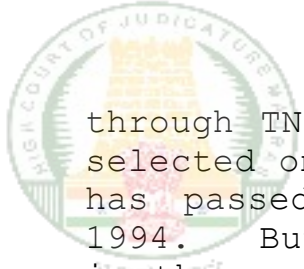
For Petitioner :Mr.S.Visvalingam

For Respondents :Mr.R.Anandaraj,
Government Advocate

ORDER

The petitioner has filed this Writ Petition to direct the first respondent, the Principal Secretary to Government, Public Works Department, Chennai to pass appropriate orders on his appeal, dated 27.02.2016 regarding revision of scale of pay on par with his Junior with effect from 01.01.2006 within a stipulated time.

2. The petitioner was serving as Assistant Engineer, Electrical Section-II, Public Works Department(Medical Works), Madurai and he has given a representation to the second respondent viz., the Engineer in Chief(WRO), Chief Engineer(General), Public Works Department, Chennai, to rectify the pay anomaly between the petitioner and his Junior Mr.S.Mannaar Karikaalan in the cadre of Assistant Engineer stating that he joined duty as Technical Assistant on 23.07.1986, whereas his Junior Mr.S.Mannaar Karikaalan joined duty as Technical Assistant on 26.09.1986 and further stating that when he was selected as Junior Engineer



through TNPSC on 06.03.1992, his junior Mr.Mannaar Karikaalan was selected on 30.08.1991. Besides, it is stated that the petitioner has passed B.E., degree in Electrical Engineering in the year 1994. But his Junior Mr.S.Mannaar Karikaalan passed B.E., degree in the year 1996, ie., two year later. Therefore, his grievance is that pay drawn by him in the cadre of Assistant Engineer cannot be less than his Junior Mr.S.Mannaar Karikaalan, when he is holding the Post of Assistant Engineer since the date of passing B.E., degree, which is much earlier to him. But the said representation was rejected by the second respondent on 30.06.2015. Against which, he has preferred an appeal before the first respondent and the same is pending for a long time. Hence, the petitioner has come up with this Writ Petition for the above stated relief.

3. Mr.R.Anandaraj, learned Government Advocate takes notice for the respondents.

4. Considering the limited scope of the prayer made in this Writ Petition, this Court directs the first respondent to consider the appeal filed by the petitioner, dated 27.02.2016 and pass appropriate orders on merits and in accordance with law with regard to revision of scale of pay of the petitioner, within a period of eight weeks from the date of receipt of a copy of this order.

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

Sd/-

Assistant Registrar(AS)

/True Copy/

Sub Assistant Registrar(CS)

Madurai Bench of Madras High Court,
Madurai-23.

To

1.The Principal Secretary to Government,
Public Works Department, Secretariat,
Chennai - 600 009.

2.The Engineer in Chief(WRO),
Chief Engineer (General),
Public Works Department,
Chepauk, Chennai - 600 005.

+1cc to M/s.S.Visvalingam, Advocate in SR.27639

+1cc to the Special Government Pleader, in SR.27973

W.P. (MD) No.9798 of 2016
03.06.2016