

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.04.2017

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

W.P.No.8623 of 2017

C.Beulah Manohari ... Petitioner

-vs-

1. The Secretary to Government
Finance Department
Secretariat
Chennai 600 009

2. The Secretary to Government
Personnel and Administrative Reforms Department
Secretariat
Chennai 600 009 ... Respondents

Petition under Article 226 of the Constitution of India, praying for the issue of a Writ of Mandamus, directing the first respondent to consider the name of the petitioner in the list of officers availing the service benefits in accordance with the orders issued in G.O.(Ms) No.112, P & AR Department dated 13.7.2012 on par with her junior Thiru V.Raja in the light of the orders issued by this Hon'ble Court in W.P.No.25556 of 2013 dated 8.4.2014 which was upheld by the Division Bench by dismissing the Writ Appeal filed by the Government in W.A. No.971 of 2014 dated 18.3.2016, within a reasonable period as may be fixed by this Hon'ble Court.

For Petitioner :: Mr.T.Ranganathan

For Respondents :: Mr.T.M.Pappiah
Special Government Pleader

ORDER

The petitioner, having served as Deputy Secretary to Government in Finance Department, retired from service on 30.9.2016, as per the order passed in G.O.Ms.No.266, Finance

Department dated 30.9.2016. Further her claim is that when the Government had issued G.O.Ms.No.126, P & AR Department dated 29.5.98 and G.O.Ms.No.154, P & AR Department dated 30.10.2009 permitting the seniors working in one unit department to claim the pay on par with the juniors in Finance Department clearly mentioning that orders for stepping up of pay to the Typists/Personal Clerks would be issued separately, accordingly issued G.O.Ms.No.112 P & AR Department dated 13.7.2012 extending the said benefit to Typists/Personal Clerks. However, the said Government Order was questioned in W.P.No.25556 of 2013 and paragraph-6 therein was quashed by this Court. Therefore, the petitioner has given a representation on 1.2.2017 to consider her case. But the same has not been looked into, hence a direction may be given, he pleaded.

2. Mr.T.M.Pappiah, learned Special Government Pleader, taking notice on behalf of the respondents, sought time to consider the representation of the petitioner on merits and in accordance with law.

3. Recording his statement, without going to the merits, the first respondent is hereby directed to consider the pending representation of the petitioner dated 1.2.2017 on merits and pass appropriate orders in accordance with law, within a period of eight weeks from the date of receipt of a copy of this order. The writ petition stands disposed of accordingly. No costs.

Sd/

Assistant Registrar

/True copy/

Sub Assistant Registrar

To

1. The Secretary to Government
Finance Department
Secretariat, Chennai 600 009

2. The Secretary to Government
Personnel and Administrative Reforms Department
Secretariat, Chennai 600 009

+1CC TO MR.T.RANGANATHAN, ADVOCATE SR.NO.21702

+1CC TO THE GOVERNMENT PLEADER SR.NO.22088

W.P.No.8623 of 2017

SDR 24.04.2017