

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08.02.2017

CORAM:

THE HONOURABLE MR. JUSTICE M.SATHYANARAYANAN

W.P.No.3081/2017

V.Kanagarajan

.. Petitioner

Vs

- 1.The Secretary
Union of India, Ministry of Home
Affairs, Police Division-II
[Resettlement and Welfare Directorate]
North Block, New Delhi 110 001.
- 2.The Director General
CISF, CGO Complex
Lodhi Road, New Delhi 110003.
- 3.The Inspector General of Police
CISF SS HQRs, Chennai.
- 4.The Commandant
CISF Unit NLC(N) Neyveli,
Cuddalore District.
- 5.The Deputy Commandant CISF Unit RHPP Pipri,
Sonpatra (UP)
- 6.The Assistant Commandant
CISF Union NLC [N], Neyveli
Cuddalore District.

.. Respondents

Prayer:- Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of mandamus directing the respondents to take action on the petitioner application dated 05.01.2017 as to the amend the effective date of petitioner 1st financial upgradation as from the date of attaining eligibility period prescribed under the Assured Career Progression Scheme [ACP] and petitioner 1st and 2nd Financial upgradation also as from the date of attaining eligibility period prescribed under the Modified Assured Career Progression Scheme [MACPS] in order to remove the anomaly of petitioner pay less than petitioner juniors.

For Petitioner : Ms.R.Meenakshi

For Respondents: Mr.C.V.Ramachandramurthy, CGSC

ORDER

By consent, the writ petition is taken up for final disposal. Mr.C.V.Ramachandramurthy, learned Central Government Standing Counsel accepts notice on behalf of the respondents.

2. The petitioner, at present, is working as a Head Constable at RHPP Pipri and on implementation of VI Pay Commission Recommendations, he submitted a representation dated 28.07.2016 and the pay of the petitioner has not been fixed properly and his juniors are getting more pay than him in the revised pay scale and consequently, prayed for stepping up of pay in terms of FR-22 [GIO-22 and 23].

3. The 6th respondent, vide Communication dated 23.08.2016, has informed the petitioner that his request is not feasible for compliance. The petitioner, aggrieved by the same, submitted a further representation in the form of appeal petition to the respondents 4 and 5 through proper channel on 05.01.2017 and since it has not been given disposal, the petitioner came forward to file the present writ petition.

4. Heard the learned counsel for the petitioner and Mr.C.V.Ramachandramurthy, learned Central Government Standing Counsel appearing for the respondents.

5. Though the petitioner has prayed for a larger relief, this Court, in the light of the above facts and circumstances and without going into the merits of the claim projected by the petitioner, either in his appeal petition or in this writ petition, directs the respondents 4 and 5 to consider and dispose of the petitioner's representation/appeal petition dated 05.01.2017 on merits and in accordance with law and pass orders within a further period of twelve weeks from the date of receipt of a copy of this order and communicate the decision taken, to the petitioner.

6. The writ petition stands disposed of with the above direction. No costs.

-s/d-
Assistant Registrar

True Copy

Sub-Assistant Registrar

AP

To

- 1.The Secretary
Union of India, Ministry of Home
Affairs, Police Division-II
[Resettlement and Welfare Directorate]
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Sonpatra (UP)
- 6.The Assistant Commandant
CISF Union NLC [N], Neyveli
Cuddalore District.

+1 CC to Ms.R.Meenakshi, Advocate Sr.No.7978.

+1 CC to Mr.C.V.Ramachandramurthy, CGSC Sr.No.7875.

W.P.No.3081/2017

PVS(CO)
KP(27.02.2017)