

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.09.2017

CORAM

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No.11350 of 2015

and

W.M.P.No.1 of 2015

T.Balasubramaniam

... Petitioner

Vs.

1.The Secretary to Finance (Pay Cell Department),
Fort St. George,
Chennai - 600 009.

2. The Director,
Department of Public Health and
Preventive of Medicine,
Chennai - 6.

3. The Deputy Director of Health Service,
Coimbatore.

... Respondents

Prayer : Writ Petition is filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the second respondent to consider the representation dated 23.03.2015 made by the petitioner by fixing the scale of pay at the rate of Rs.5200-20200-24000 (Grade Pay) with notional effect from 01.01.2006 for the purpose of Fixation of Pay in the revised Pay Scale with monetary benefit from 01.08.2010 in the light of the G.O.Ms.No.316 issued by the Finance (Pay Cell Department) dated 26.08.2010 and consequently pay all attendant and other monetary benefits.

For Petitioner : Mr.N.Umapathi

For Respondents : Mr.S.Gunasekaran

Additional Government Pleader

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O R D E R

The relief sought for in this writ petition is for a direction to the respondents to consider the representation submitted by the writ petitioner on 23.03.2015 in respect of the fixation of the scale of pay.

2.Heard Mr.N.Umapathi, learned counsel for the petitioner and Mr.S.Gunasekaran, learned Additional Government Pleader for the respondents.

3.The writ petitioner claims that he was working as a Male Nursing Assistant and retired from service on attaining the age of superannuation. However, the pay fixation was erroneously done by the respondents. In this regard, the writ petitioner has submitted a representation to the second respondent on 23.03.2015.

4.Thus, without going into the merits of the matter, the second respondent is directed to consider the representation submitted by the writ petitioner and pass orders on merits and in accordance with law, within a period of twelve weeks from the date of receipt of a copy of this order.

5.Accordingly, the writ petition stands disposed of. However, there is no order as to costs. Consequently, the connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar(CS V)

//True Copy//

Sub Assistant Registrar

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To

1. The Secretary to Finance (Pay Cell Department),
Fort St. George,
Chennai - 600 009.
 2. The Director,
Department of Public Health and
Preventive of Medicine,
Chennai - 6.
 3. The Deputy Director of Health Service,
Coimbatore.
- +1cc to Mr.N.Umapathi, Advocate Sr. 69628
+1cc to the Government Pleader Sr. 70095

W.P.No.11350 of 2015
and
M.P.No.1 of 2015

AR(V)
VR(26/10/2017)