

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED: 29.8.2017

CORAM

THE HONOURABLE MR.JUSTICE HULUVADI G.RAMESH
AND
THE HONOURABLE MR.JUSTICE RMT.TEEKAA RAMAN

W.A.No.877 of 2017

G.Jones

Appellant

Versus

1. Tamilnadu Slum Clearance Board,
rep. by its Chairman,
No.5, Kamarajar Salai, Chennai 600 005.
2. The Managing Director,
Tamilnadu Slum Clearance Board,
No.5, Kamarajar Salai, Chennai 600 005.
3. The Secretary,
Tamilnadu Slum Clearance Board,
No.5, Kamarajar Salai, Chennai 600 005.

Respondents

Prayer: Writ Appeals filed under Clause 15 of the Letters Patent against the order dated 24.8.2016 passed in W.P.No.29483 of 2016 on the file of this court.

WP.No.29483 of 2016:Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus Calling for the records relating to the orders in (1) Pro.No. 8208/14/VI dated 18.09.2014 of the first respondent to the limited extent of direction relating to recovery of alleged excess pay from 01.06.2002 to 31.05.2014 (2) Pro.Na.Ka.No. A6/6191/2014 dated 01.06.2015 of the third respondent (3) Pro.No. 8208/14/VI dated 31.07.2015 of the second respondent (4) Na.Ka.No. A6/8031/2013 dated 11.09.2013 of the first respondent and (5) Na.Ka.No. A6/8031/2013 dated 07.05.2014 to quash the same and to issue consequential directions to the respondents (1) to refund the sum of Rs.84191/- recovered from the DCRG with interest (2) to sanction special increment for completion of 30 years of service as Driver W.e.f 04.06.2012 (3)to restore special grade scale of pay from 04.06.2002(4)to revise the pensionary benefits of the petitioner on that basis; and (5) to disburse all consequential monetary benefits within a time frame with interest at 18%

For appellant : Mr.Manivannan for
Mr.M.Ravi

COMMON JUDGMENT

(Judgment of the court was made by HULUVADI G.RAMESH, J.)

Heard the learned counsel appearing for the appellant for some time.

2. The writ appeal is filed challenging the order passed by the learned Single Judge dismissing the writ petition filed by the appellant seeking the relief of certiorarified mandamus calling for the records relating to the orders in (1) Pro.No.8208/14/VI dated 18.09.2014 of the first respondent, to the limited extent of direction relating to recovery of alleged excess pay from 01.06.2002 to 31.05.2014 (2) Pro.Na.Ka.No.A6/6191/2014 dated 01.06.2015 of the third respondent (3) Pro.No.8208/14/VI dated 31.07.2015 of the second respondent (4) Na.Ka.No.A6/8031/2013 dated 11.09.2013 of the first respondent and (5) Na.Ka.No.A6/8031/2013 dated 07.05.2014, to quash the same and to issue consequential directions to the respondents (1) to refund the sum of Rs.84191/- recovered from the DCRG with interest (2) to sanction special increment for completion of 30 years of service as Driver w.e.f. 4.6.2012 (3) to restore Special Grade Scale of Pay from 4.6.2002 (4) to revise the pensionary benefits of the petitioner on that basis and (5) to disburse all consequential monetary benefits within a time frame with interest at 18%.

3. It appears that with a bunch of prayers with regard to fixation of pay and refund of amount recovered from the appellant/petitioner, the writ petition was filed. The learned Single Judge has elaborately dealt with each of the claims of the appellant/petitioner and has come to a conclusion that the orders impugned in the writ petition were passed during the tenure of the petitioner, only after proper notice to him but, the writ petitioner, without challenging the same immediately, has come to the court very belatedly after his retirement. Apart from that view, the learned Single Judge has gone into every issue raised by the writ petitioner in detail and upheld the orders impugned in the writ petition. Therefore, we are not inclined to interfere with the order passed by the learned Single Judge. The writ appeal is dismissed. No costs.

Sd/-

Assistant Registrar(CCC)

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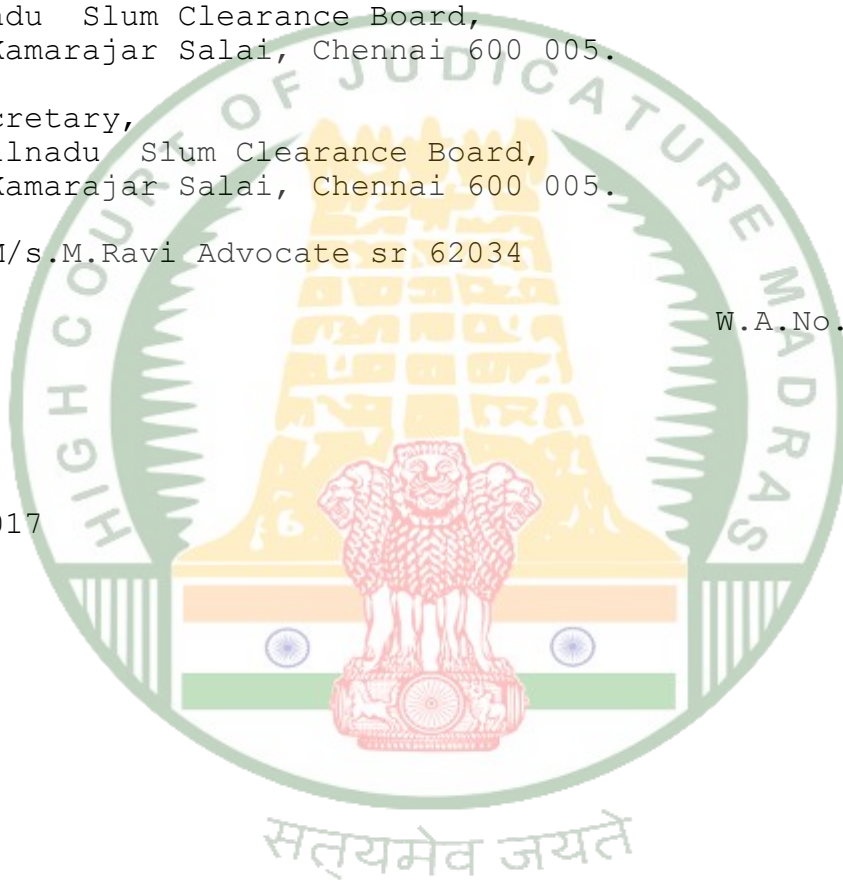
Sub Assistant Registrar

To:

1. The Chairman
Tamilnadu Slum Clearance Board,
No.5, Kamarajar Salai, Chennai 600 005.
 2. The Managing Director,
Tamilnadu Slum Clearance Board,
No.5, Kamarajar Salai, Chennai 600 005.
 3. The Secretary,
Tamilnadu Slum Clearance Board,
No.5, Kamarajar Salai, Chennai 600 005.
- +1 cc to M/s.M.Ravi Advocate sr 62034

W.A.No.877 of 2017

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