

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.12.2017
CORAM

THE HONOURABLE MR. JUSTICE T. RAJA

W.P.No.32425 of 2017

1. N.Ramakrishnan
2. G.Poongodi
3. B.Ravi
4. K.T.Santhi
5. M.L.Rajasekar
6. C.Siddhuraju
7. K.A.Periasamy
8. S.Ramakrishnan
9. G.Gunasekaran
- 10.N.Moorthy
- 11.V.Rajendran
- 12.K.Nandagopal
- 13.R.Ravichandran

... Petitioners

Vs.

1. The Secretary to Government,
Housing and Urban Development,
Fort St. George, Chennai-9.
2. The Managing Director,
Tamil Nadu Housing Board,
Nandanam, Chennai-35.
3. The Accountant General,
Teynampet, Chennai-18.

.. Respondents

Writ Petition filed under Article 226 constitution of India for issuance of a Writ of Mandamus, directing the respondents to extend the benefit of G.O.312 dated 26.08.2010 to the petitioners and to grant the revision of grade pay on par with the other department/Public Sector Undertakings by considering the representation of the petitioners dated 27.07.2017, 07.08.2017 and 09.08.2017 respectively within a reasonable time fixed by this Court.

For Petitioners : Mr.S.Sivakumar

For Respondents : Mr.R.A.S.Senthilvel,
Addl. Govt. Pleader for R1
Mr.V.Anandhamurthy for R2

O R D E R

The Writ Petition has been filed seeking to issue a Writ of Mandamus, directing the respondents to extend the benefit of G.O.312 dated 26.08.2010 to the petitioners and to grant the revision of grade pay on par with the other department/Public Sector Undertakings by considering the representation of the petitioners dated 27.07.2017, 07.08.2017 and 09.08.2017 respectively within a reasonable time fixed by this Court.

2. The case of the petitioners is that they were all appointed as Executive Engineers in the Tamil Nadu Housing Board, a Statutory Body incorporated by the Tamil Nadu Housing Board Act XVII of 1961. Since the employees of the Board are entitled to avail all the benefits and privileges available to the other State Government Employees, the Government also issued an order in G.O.250 dated 17.06.2009, extending the orders of Government on the recommendation of VI Central Pay Commission to the employees of State Public Sector Undertakings/Boards with an intention to bring out parity and standardization in the pay scales available to the State Public Sector Undertakings/Boards vis-a-vis Government Employees. Subsequently, the Government has constituted an Official Committee to examine and make necessary recommendations for the revision of scales of pay and allowances of State Government Employees based on the decisions of the Central Government on the recommendations of the VI Central Pay Commission. Pursuant to the Government Order, the Official Committee has submitted its report on 27.05.2009. Thereafter, after careful consideration, to give parity of scales of pay to all the employees, the Government issued G.O.234, Finance (PC) Department, dated 01.06.2009. Again, further number of representations and petitions were received from various individuals, Head of Departments and Associations stating that there are anomalies while implementing the recommendations of the Official Committee for revision of scales of pay of certain categories. Therefore, the Government has constituted One Man Commission to examine anomalies and issued order in G.O.Ms.No.312 (Finance (Pay Cell) Department) dated 26.08.2010 in respect of Public Works Department.

3. Now the claim of the petitioners is that the said benefit extended to the employees in the Public Works Department under G.O.Ms.No.312 dated 26.08.2010 has not been given to them. In this regard, when similarly placed persons, namely, A.Boopathy and two others approached this Court by filing a Writ Petition in W.P.No.28141/2017, this Court passed an order dated 03.11.2017.

4. It is, at this stage, the learned Counsel appearing for the petitioners submitted that on the basis of the similar order

passed in W.P.No.28141/2017 dated 03.11.2017, the present Writ Petition could be disposed of.

5. This Court in the aforesaid order made in W.P.No.28141/2017 dated 03.11.2017 has held as follows:

"5. In view of all the above, this Court directs the 2nd respondent to consider and pass orders on the representation of the petitioners dated 2.8.2017 in the light of G.O.Ms.No.312, Finance (Pay Cell) Department, dated 26.08.2010, within a period of eight weeks from the date of receipt of a copy of this Court and forward the same to the 3rd respondent, who in turn, on receipt of the same, shall implement the same, within a period of four weeks thereafter.'"

6. In view of all the above, the Writ Petition is disposed of with a direction to the 2nd respondent consider and pass orders on the representation of the petitioners dated 27.07.2017 and 07.08.2017 in the light of G.O.Ms.No.312, Finance (Pay Cell) Department, dated 26.08.2010, within a period of eight weeks from the date of receipt of a copy of this Court and forward the same to the 3rd respondent, who in turn, on receipt of the same, shall implement the same, within a period of four weeks thereafter. No costs.

Sd/-
Assistant Registrar(J)

//True Copy//

Sub Assistant Registrar

tsi

To

1. The Secretary to Government,
Housing and Urban Development,
Fort St. George, Chennai-9.

2. The Managing Director,
Tamil Nadu Housing Board,
Nandanam, Chennai-35.

3. The Accountant General,
Teynampet, Chennai-18.

+1cc to Mr.S.Sivakumar, Advocate, S.R.No.88731

+1cc to Mr.V.Anandhamurthy, Advocate, S.R.No.88855

+1cc to the Government Pleader, S.R.No.89084

W.P.No.32425 of 2017

SVI (CO)
RRK(20/01/2018)