

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.06.2017

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

W.P.No.13873 of 2017

S.Selvi

... Petitioner

-Vs-

1. The Government of Tamil Nadu
represented by its Secretary
Finance Department
Fort St.George
Chennai 600 009

2. The Director of Rural Development
& Panchayat Raj Department
Panagal Building
Saidapet
Chennai 600 015

... Respondents

Petition under Article 226 of the Constitution of India, praying for the issue of a Writ of Mandamus, directing the second respondent to fix the pay scale for the petitioner as ordered in G.O.Ms.No.451 Finance (Pay Cell) Department dated 31.12.2010 and pay the arrears of pay therefor with appropriate interest and within a time frame, as this Hon'ble Court may fix and further to direct the second respondent to pay the cost the petitioner is forced to incur in filing this writ petition.

For Petitioner : Mr.

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

WEB COPY
ORDER

The petitioner is working as Assistant Engineer in the Rural Development and Panchayat Raj Department, pursuant to her joining the service on 4.2.2008, and her pay was also fixed in the time scale of pay of Rs.6500-11100. Subsequently, adopting the VI Central Pay Commission report, it is stated that her pay scale was fixed at Rs.9300-34800+GP4700. While so, the Government issued G.O.Ms.No.451, Finance (Pay Cell) Department dated 31.12.2010 raising the pay scale to Rs.15600-39100+GP5400 on the recommendation of the One Man Commission. In the above background, the grievance of the petitioner is that even though

the pay scales were revised to all the Assistant Engineers as per G.O.Ms.No.451 dated 31.12.2010, the same has not been done in her favour. Therefore, she has given a representation dated 9.3.2017 to consider her case, as per G.O.Ms.No.451 Finance (Pay Cell) Department dated 31.12.2010. As the said representation has not been considered, while the pay of her colleagues has been fixed in the pay scale of Rs.15600-39100+GP5400, in terms of G.O.Ms.No.451 dated 31.12.2010, she has come to this Court seeking a direction to the second respondent to fix her pay in the time scale of Rs.15600-39100+GP5400.

2. Mr.T.M.Pappiah, learned Special Government Pleader, taking notice on behalf of the respondents, sought sufficient time to pass orders on the petitioner's pending representation.

3. This Court, recording his statement, considering the limited prayer, without going to the merits of the matter, hereby directs the second respondent to consider the pending representation of the petitioner on merits, as per G.O.Ms.No.451, Finance (Pay Cell) Department dated 31.12.2010, and pass appropriate orders within a period of six weeks from the date of receipt of a copy of this order. The writ petition is disposed of accordingly. Consequently, W.M.P.No.15058 of 2017 is closed. No costs.

Sd/-
Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

ss

To

1. The Secretary to Government
Finance Department
Fort St.George
Chennai 600 009

2. The Director of Rural Development
& Panchayat Raj Department
Panagal Building
Saidapet,
Chennai 600 015.

+1cc to Mr.N.Subramaniyan, Advocate, S.R.No.40064
+1cc to the Government Pleader, S.R.No.40312

W.P.No.13873 of 2017

MP(CO)
CA(21/06/2017)