

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:02.02.2017

CORAM:

THE HONOURABLE MR. JUSTICE M.SATHYANARAYANAN

W.P.No.2460/2017

T.T.Ramesh

..Petitioner

Vs

1.The Secretary to Municipal Administration
and Water Supply Department
Fort St George,
Chennai-9.

2.The Director of Town Panchayats
Kuralagam Buildings,
Chennai 600 108.

3.The Assistant Director of Town Panchayats
Cuddalore Region,
Villupuram.

4.The Executive Officer
Tirukoilur Town Panchayat
Villupuram 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 2 to 4 particularly, the 4th respondent to bring the petitioner under consolidated pay from the date [31.07.2000] on which the post of Tap Inspector was sanctioned by the 2nd respondent and thereafter, to bring the petitioner under regular time scale from the date of completion of three year consolidated pay service and to pay all consequential service and monetary benefits.

For Petitioner : Mr.P.I.Thirumoorthy
For R1 to R4 : Mr.K.Dhananjayan, Spl.GP

ORDER

By consent, the writ petition is taken up for final disposal. Mr.K.Dhananjayan, learned Special Government Pleader accepts notice on behalf of the respondents.

2. The petitioner was initially appointed as a Non Muster Roll employee as Tap Inspector on 01.02.1989 and was paid consolidated pay of Rs.540/- per month and in terms of

Department dated 26.10.1998, the 4th respondent had passed a resolution dated 08.05.2000, requesting the 2nd respondent to create posts of Tap Inspector, Helper, Overhead Tank Operator, Watchman/Water Tank Operator, Water Supply Maintainer and Hand Pump Maintainer and it was forwarded through the 3rd respondent and the 2nd respondent, vide proceedings dated 3.07.2000, had sanctioned the said posts, based on which, the 3rd respondent has directed the 4th respondent to fill up the sanctioned posts immediately, taking into consideration, seniority, educational qualification and other norms prescribed in the above cited Government Order. The grievance expressed by the petitioner is that though the post of Tap Inspector was sanctioned on 31.07.2000, the petitioner was brought into regular Time Scale of Pay only from 16.12.2015 and accordingly, he is entitled to the time scale of pay from the date of sanction, i.e., 31.07.2000, and in this regard, the petitioner has also submitted a representation dated 15.12.2016 to the 4th respondent in person and since no response is forthcoming, the petitioner came forward to file the present writ petition.

3 .Heard the learned counsel appearing for the petitioner and Mr.K.Dhananjayan, learned Special Government Pleader appearing for the respondents.

4. Though the petitioner has prayed for a larger relief, this Court, taking into consideration the above facts and circumstances, and without going into the merits of the claim projected by the petitioner, permits the petitioner to submit one more representation to the 4th respondent within a period of four weeks from the date of receipt of a copy of this order and the 4th respondent, upon receipt of the same, shall consider the said representation, on merits and in accordance with law and pass orders within a further period of ten weeks thereafter and communicate the decision taken, to the petitioner.

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

Sd/-

Asst.Registrar (CS III)

/true copy/

Sub Asst. Registrar

To

1.The Secretary to Municipal Administration
and Water Supply Department
Fort St George,
Chennai-9.

2.The Director of Town Panchayats
Rural Urban Buildings,

Chennai 600 108.

3.The Assistant Director of Town Panchayats
Cuddalore Region,
Villupuram.

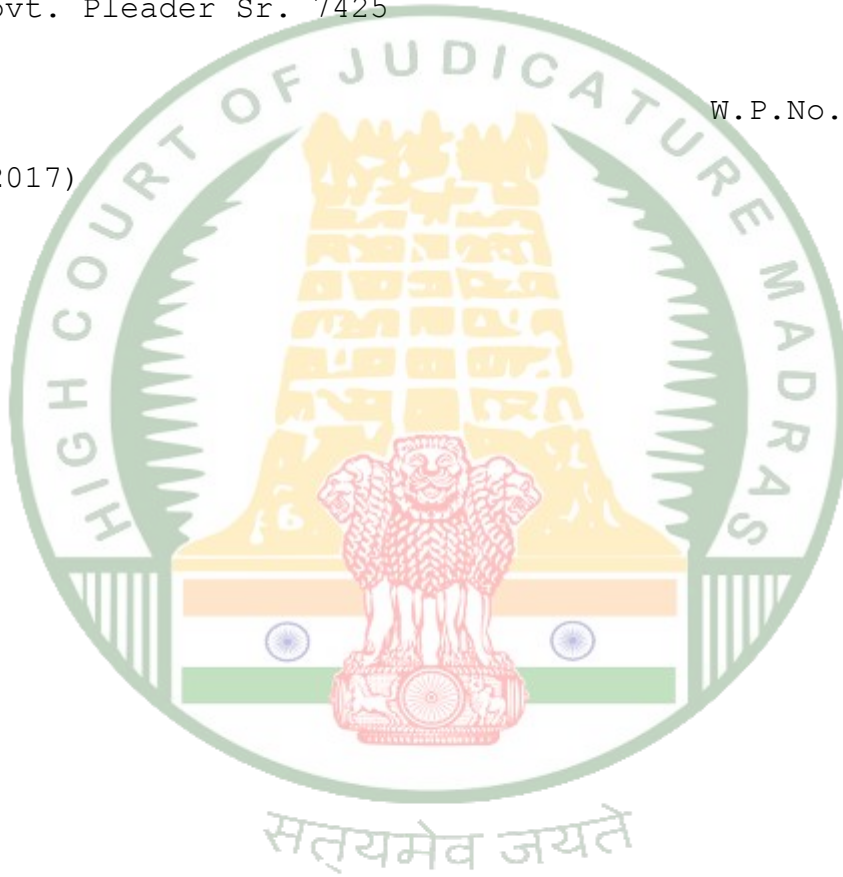
4.The Executive Officer
Tirukoilur Town Panchayat
Villupuram District.

+1cc to Mr. P.I. Thirumoorthy SR. 6766

+1cc to Govt. Pleader Sr. 7425

PVS (CO)
VR(17/02/2017)

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