

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02.02.2017

CORAM:

THE HONOURABLE MR. JUSTICE M.SATHYANARAYANAN

W.P.No.2473/2017 & WMP No.2465/2017

N.Ezhiliraiyan

...Petitioner

Vs

The Secretary,
Kancheepuram Market committee,
Kancheepuram-631 501.

...Respondent

Prayer:- Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus directing the respondent to pay the salary due to the petitioner from June 2016 to till date directly or to be credited in his bank account with 12% interest.

For Petitioner : Mr.V.Manoharan

For Respondent : 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 respondent.

2 The petitioner, through Group-IV examination conducted by the Tamil Nadu Public Service Commission, was selected as Junior Assistant-cum-Typist and was allotted to Agricultural and Marketing Department, Chennai and thereafter, he was re-allotted along with two other persons, to Periyar Market Committee, Erode, in the post of Junior Assistant-cum-Typist and the Secretary, Periyar Market Committee, Erode, vide proceedings dated 24.07.2001, appointed the petitioner as Junior Assistant in the head office of Erode Market Committee and the petitioner was subsequently, transferred to Kancheepuram Market Committee and started working in that place and he has successfully completed the Probation on 24.12.2004. The petitioner would further aver that he was also visited with Departmental Proceedings which culminated into an order of punishment of postponement of increment for a period of two years without cumulative effect and the petitioner filed an appeal before the Administration Department, viz., the Agricultural Department and

vide G.O.[3D] No.169 of the said Department dated 05.08.2014, the punishment was modified to postponement of increment for a period of one year without cumulative effect. The grievance expressed by the petitioner is that though he is discharging his duties as on date, his salary has been stopped/withheld without any valid order or reasons. The petitioner, in this regard, has also submitted representations dated 06.10.2016 as well as 12.01.2017, stating that he and his family are virtually starving in the event of salary and other consequential benefits and despite the receipt and acknowledgment, no orders have been passed and hence, 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 respondent.

4 Though the petitioner has prayed for a larger relief, this Court in the light of the above facts and circumstances, directs the respondent to consider and dispose of the petitioner's representations' dated 06.10.2016 and 12.01.2017 respectively on merits and in accordance with law and pass orders within a period of twelve weeks from the date of receipt of a copy of this order and communicate the decision taken, to the petitioner.

5 The writ petition stands disposed of with the above direction. No costs. Consequently the connected Miscellaneous Petition is closed.

Sd/-
Assistant Registrar

//True Copy//

AP

Sub Assistant Registrar

To

The Secretary,
Kancheepuram Market committee,
Kancheepuram-631 501.

+1cc to Mr.Manoharan, Advocate, S.R.No.6716
+1cc to the Government Pleader, S.R.No.7317

UG(CO)
RS(07/02/2017)

W.P.No.2473/2017