

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.06.2017

CORAM :

THE HONOURABLE MR.JUSTICE T.RAJA

W.P.No.15131 of 2017

K.Bhavani

... Petitioner

Vs.

1. The Principal Director,
Highways Department,
96, Pattail Street,
Highways Research Campus,
Guindy, Chennai - 32.
 2. Chief Engineer,
(General) Highways Department,
Chepauk, Chennai - 600 005.
- ... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, to issue a writ of mandamus directing the respondents more particularly the 1st respondent herein to consider and pass suitable orders on the petitioner's representation made to the respondent on 10.04.2017 to regularize the petitioner's pay by taking note of the petitioner's service from 01.11.1982 and review the petitioner's pension by fixing the petitioner's proper scale of pay from 01.11.1982.

For Petitioner : Mr.S.Balasubramanian
For Respondents : Mr.T.M.Pappiah
Special Government Pleader

O R D E R

The petitioner, who was appointed as Record Clerk in Karaikudi by the proceedings No.1051/75A2 dated 04/10/1975 of the Divisional Engineer (Highways and Rural Roads) Karaikudi with the benefit of sponsorship made by the District Employment Exchange, Ramnad at Madurai, after getting the benefit of regularisation from 9.10.75 by the order passed by the Superintending Engineer (Highways & Rural Works) on 06.10.1979, completing her service on reaching the age of superannuation as Junior Assistant, finally retired from service on 30.09.2011. In the meanwhile, noticing that her junior was given a salary of

Rs.310/- and she was given only a salary of Rs.265/- as on 1.11.82, the said anomaly was brought to the notice of the second respondent finally on 30.3.2013 with a request to set right the anomaly by giving promotion to the post of Junior Assistant with effect from 01.11.1982, instead of 3.10.2007 and review the payment of pension. As the said representation has not been considered, she has come to this Court seeking a direction to the respondents to dispose of the pending representation.

2. Mr.T.M.Pappiah, learned Special Government Pleader, taking notice on behalf of the respondents, sought eight weeks time to consider the pending representation.

3. This Court, considering the limited prayer, without going to the merits, hereby directs the respondents to consider the pending representation of the petitioner on merits and pass appropriate orders in accordance with law within a period of eight weeks from the date of receipt of a copy of this order. The writ petition stands disposed of accordingly. No costs.

-s/d-

Assistant Registrar (CS-VIII)

True Copy

Sub-Assistant Registrar

To

1. The Principal Director,
Highways Department,
96, Pattail Street,
Highways Research Campus,
Guindy, Chennai - 32.

2. The Chief Engineer (General),
Highways Department,
Chepauk, Chennai - 600 005

+1 CC to Mr.Balasubramanian, Advocate sr 42509
+1 CC to Govt. Pleader sr 42815

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MG (CO)
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