

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.06.2017

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

W.P.No.15448 of 2017

K.Mathivanan

... Petitioner

-vs-

The Commissioner
Salem Corporation
Salem, Salem District

... Respondent

Petition under Article 226 of the Constitution of India, praying for the issue of a Writ of Mandamus, directing the respondent to consider the petitioner's representation dated 21.02.2017 requesting to reclassify the petitioner as Skilled Assistant Grade I with effect from 1.10.1996 (when rules were framed for the Corporation) and fix his pay in the Selection Grade with effect from 02.10.2006.

For Petitioner :: Mr.P.Rajendran

For Respondent :: Ms.K.Bhuvaneswari

ORDER

The petitioner, having retired from service as Skilled Assistant Grade I with effect from 28.2.2015, has come to this Court belatedly seeking a direction to consider his representation dated 21.2.2017 requesting to re-classify him as Skilled Assistant Grade I with effect from 1.10.96 and fix his pay in the selection grade with effect from 2.10.2006.

2.It is not known how the petitioner can come to this Court now, after sleeping over the matter during his service, in spite of the fact that the relevant G.O.Ms.No.762, Finance (Pay Commission) Department was issued way back on 20.8.86 granting certain benefits, followed by issuance of two other Government Orders in G.O.Ms.No.237, Municipal Administration & Water Supply (Election) Department dated 26.9.96 and in G.O.Ms.No.123, Municipal Administration and Water Supply Department dated 28.2.2011. In my considered opinion, the petitioner was on his slumber, as neither he made any representation on the basis of G.O.Ms.No.762, Finance (Pay Commission) Department dated 20.8.86

nor made any representation on the basis of the G.O.Ms.No.237, Municipal Administration & Water Supply (Election) Department dated 26.9.96 or G.O.Ms.No.123, Municipal Administration and Water Supply Department dated 28.2.2011. Yet another reason is that he had already retired from service. But there is no iota of evidence to show that he had made any representation on the basis of the aforementioned Government Orders before his retirement seeking to refix his salary. In view of the above, the petitioner is held guilty of laches and accordingly, the writ petition is dismissed. No costs.

Sd/-
Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

ss

To

1. The Commissioner
Salem Corporation
Salem, Salem District

+1cc to M/S.K.Bhuvaneshwari, Advocate Sr. 43149
+1cc to Mr.P.Rajendran, Advocate Sr. 43311

W.P.No.15448 of 2017

SVI (CO)
VR(05/07/2017)

WEB COPY