

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.10.2017

CORAM

THE HON'BLE MR.JUSTICE T.RAJA

W.P. No.27249 of 2017

1.S.Ambikapathi
2.G.Thiagarajan
3.T.Annadurai

... Petitioners

Vs.

1. The Director,
Rural Development and Panchayat Raj
Panagal Building,
Saidapet, Chennai

2. The District Collector,
Thiruvarur

... Respondents

Writ Petition filed under Article 226 of the Constitution of India seeking a Writ of Mandamus directing the respondents to pass an order on the joint representation dated 05.10.2017 granting the revision of scales of pay in the light of the recommendation of One Man Commission 2010 as per (i) G.O.Ms.No.162 Finance (PC) Department dated 13.04.1998 and (ii) Government Letter No.63305, Pay Cell/2010-1 dated 08.11.2010, within a stipulated period.

For Petitioner : Ms.T.Aananthi

For Respondents : Mr.P.Sanjay Gandhi
Additional Government Pleader

ORDER

By consent, the main writ petition itself is taken up for final disposal.

2. All the petitioners, namely, S.Ambikapathi, G.Thiagarajan, T.Annadurai were appointed as Driver on various dates, viz., 31.05.1999, 22.06.2000 and 22.08.2000 respectively. They have been regularised and absorbed in the permanent post and presently working. Since they are working in the same post, namely, Jeep Driver, without any promotion, except yearly increments, special pay bond, it is their claim that as per recommendations of One Man Pay Commission, 2010 and Tamilnadu

Revised Scales of Pay 2009, the ordinary grade pay of Driver is Rs.5200-20,200+2400 and selection grade is Rs.9300-34800+4200, therefore, they should have been given the above said special upgraded selection grade scale of pay on completion of 10 years of service.

3. Learned counsel for the petitioners would aver that the Government of Tamilnadu has also issued G.O.Ms.No.162 Finance (PC) Department dated 13.04.1998 reiterating that Selection grade and Special Grade shall be regulated for posts having no promotional avenue etc., in this regard, the petitioners, have given joint representation on 05.10.2017 to the 2nd respondent, but, the same have not been considered till date. Hence the petitioners have come forward with this writ petition.

4. This Court, considering the submission of learned counsel for the petitioners and by putting on notice the respondents 1 and 2, hereby directs the 2nd respondent, namely, the District Collector, Thiruvarur to consider the joint representation of the petitioners dated 05.10.2017 and pass appropriate orders in the light of the recommendation of One Man Commission 2010 as per G.O.Ms.No.162 Finance (PC) Department dated 13.04.1998 and Government Letter No.63305, Pay Cell/2010-1 dated 08.11.2010, on merits and in accordance with law, within a period of six weeks from the date of receipt of a copy of this order.

5. Accordingly, the Writ Petition is disposed of. No costs.

Sd/-
Assistant Registrar(CCC)

//True Copy//

सत्यमेव जयते Sub Assistant Registrar

ssd

To

1. The Director,
Rural Development and Panchayat Raj
Panagal Building,
Saidapet, Chennai

2. The District Collector,
Thiruvarur

+1cc to Mr.T.Ananthi, Advocate, S.R.No.75020

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GJ(CO)
CA(14/11/2017)

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