

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.11.2017

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

W.P.No.28604 of 2017

C.Murugan

.. Petitioner

-vs-

1. The Managing Director
Tamil Nadu Water Supply
and Drainage Board
31, Kamarajar Salai
Chepauk
Chennai 600 005
2. The Superintending Engineer
Tamil Nadu Water Supply and
Drainage Board
Tirunelveli-Kanyakumari Circle
Shanthi Nagar, Palayamkottai
Tirunelveli 627 002
3. The Executive Engineer
Tamil Nadu Water Supply and
Drainage Board
Maintenance Division
Tirunelveli 627 002

.. Respondents

Petition under Article 226 of the Constitution of India, praying for the issue of a Writ of Mandamus, directing the respondents to implement the instructions contained in the letter bearing Lr.No.43350/WCE1/HO/2008 dated 13.12.2012 of respondent no.1-Board with regard to fixation of pay of Electricians in respect of the petitioner and consequently fix the pension of the petitioner and pay the petitioner all arrears of salary and pension within a reasonable time as may be determined by the Hon'ble Court.

For Petitioner :: Mr.M.Radhakrishnan

For Respondents :: Mr.R.Ganesh Babu, Standing
Counsel

ORDER

This writ petition has been filed by the petitioner seeking for re-fixation of his pay and pension on the basis of the instructions issued by the first respondent in his Letter No.43350/WCE1/HO/2008 dated 13.12.2012 in respect of the fixation of pay for Electricians working in the TWAD Board, based on which the TWAD Board has also re-fixed the scale of pay of one Mr.R.Arunachalam, who was serving as Electrician in the TWAD Board. In view of the benefit given to similarly placed person, namely, Mr.R.Arunachalam, the petitioner also gave his representation to the first respondent to re-fix his pay similar to the Electricians working in the TWAD Board. As there was no response, he approached this Court with Writ Petition No.35134 of 2005 seeking issuance of a writ of certiorarified mandamus, to call for the records relating to the impugned order of the first respondent in Circular No.34/Ve.Ni.Oo-1/Tha.A/2005 dated 23.08.2005 and the order of the second respondent in proceedings No.12380/E5/05 dated 27.09.2005 and quash the same with a consequential direction to the respondents to restore the selection grade scale of pay already granted to the petitioner and grant all consequential benefits. During the pendency of the writ petition, a communication was issued to the petitioner on 30.7.2013 informing him to come to the respondents after withdrawing the pending writ petition. On receipt of the same, the petitioner also withdrew the writ petition on 22.3.2016. Yet the respondents, as promised, have not come forward to consider the case of the petitioner. Therefore, he has been advised to come before this Court.

2. The learned standing counsel for the respondents sought for eight weeks time to consider the case of the petitioner.

3. Since the petitioner has already come to this Court and withdrawn the writ petition on the advise of the respondents, the respondents are directed to consider the request of the petitioner, in the light of the instruction contained in Letter No.43350/WCE1/HO/2008 dated 13.12.2012, and pass appropriate orders in accordance with law within a period of four weeks from the date of receipt of a copy of this order. The writ petition is disposed of accordingly. No costs.

Sd/-
Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

ss

To

1. The Managing Director
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and Drainage Board
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Chepauk
Chennai 600 005

2. The Superintending Engineer
Tamil Nadu Water Supply and
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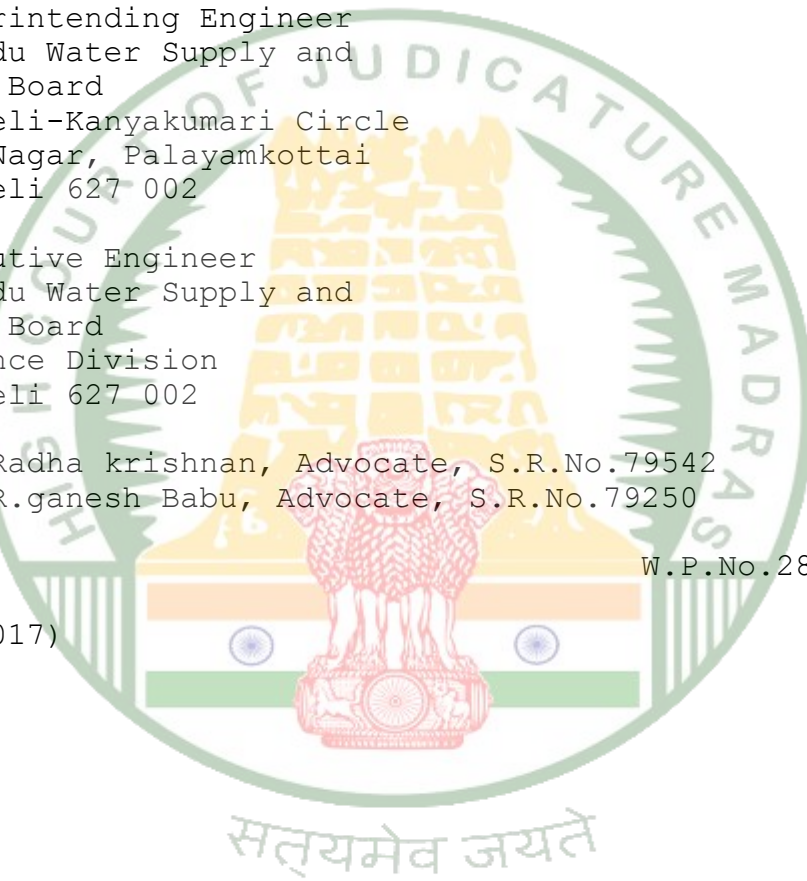
3. The Executive Engineer
Tamil Nadu Water Supply and
Drainage Board
Maintenance Division
Tirunelveli 627 002

+1cc to Mr.Radha krishnan, Advocate, S.R.No.79542

+1cc to Mr.R.ganesh Babu, Advocate, S.R.No.79250

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VG II(co)
RRK(27/11/2017)



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