

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04-12-2017

CORAM

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No.13256 of 2010

G.Murugaiyan

..Petitioner

-VS-

- 1.The Government of Tamil Nadu,
Represented by its Secretary,
Public Works Department,
Fort St. George,
Chennai-9.
 - 2.The Engineer in Chief and Chief Engineer (General),
Public Works Department,
Chennai-600 005.
- ..Respondents

Writ Petition is filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Mandamus, directing the first respondent herein to confer Selection Grade, Special Grade and Senior Grade to the petitioner as per G.O.Ms.No.2894, Finance dated 5.12.1986 and confer all consequential benefits.

For Petitioner - Mr.R.S.Anandan for
M/s.Anand and Suryas.

For Respondents - Mrs.K.Bhuvaneswari,
Government Advocate.

ORDER

The relief sought for in this writ petition is for a direction to direct the first respondent to confer Selection Grade, Special Grade and Senior Grade to the writ petitioner as per G.O.Ms.No.2894, Finance, dated 5.12.1986.

2. The learned counsel, appearing on behalf of the writ petitioner, states that the similar case akin to that of the writ petitioner had been considered by the Government and the relief was granted. Though the similar benefit was granted to

the colleague of the writ petitioner, the same has been denied to him without any valid reason. Accordingly, the writ petitioner is eligible for Selection Grade, Special Grade and Senior Grade as per the Government Order cited supra.

3. The learned Government Advocate, appearing on behalf of the respondents, states that the similar claim made out by yet another colleague of the writ petitioner one Mr.R.Santhanam in W.P.Nos.17559 and 17560 of 2007 was dismissed by this Court on 13.4.2010.

4. Thus, in this regard, the present writ petition also deserves to be dismissed. However, the learned counsel for the writ petitioner states that the Government issued subsequent orders, which is in favour of the writ petitioner and the same is also to be considered in view of the fact that the rule was amended with retrospective effect. Therefore, the dismissal of the writ petition cannot have any implication in the case of the writ petitioner.

5. Under these circumstances, it is for the authorities to consider all these aspects and pass orders. Accordingly, the first respondent is directed to consider the representation submitted by the writ petitioner on 13.5.2010 and pass orders on merits and in accordance with law, within a period of twelve weeks from the date of receipt of a copy of this order. The writ petitioner is directed to enclose the copy of the representation and all connected Government Orders along with the order passed in this writ petition.

6. Accordingly, the writ petition stands disposed of. However, there shall be no order as to costs.

-s/d-

Deputy Registrar

True Copy

Sub-Assistant Registrar

Svn

To

1.The Secretary,
Government of Tamil Nadu,
Public Works Department,
Fort St. George,
Chennai-9.

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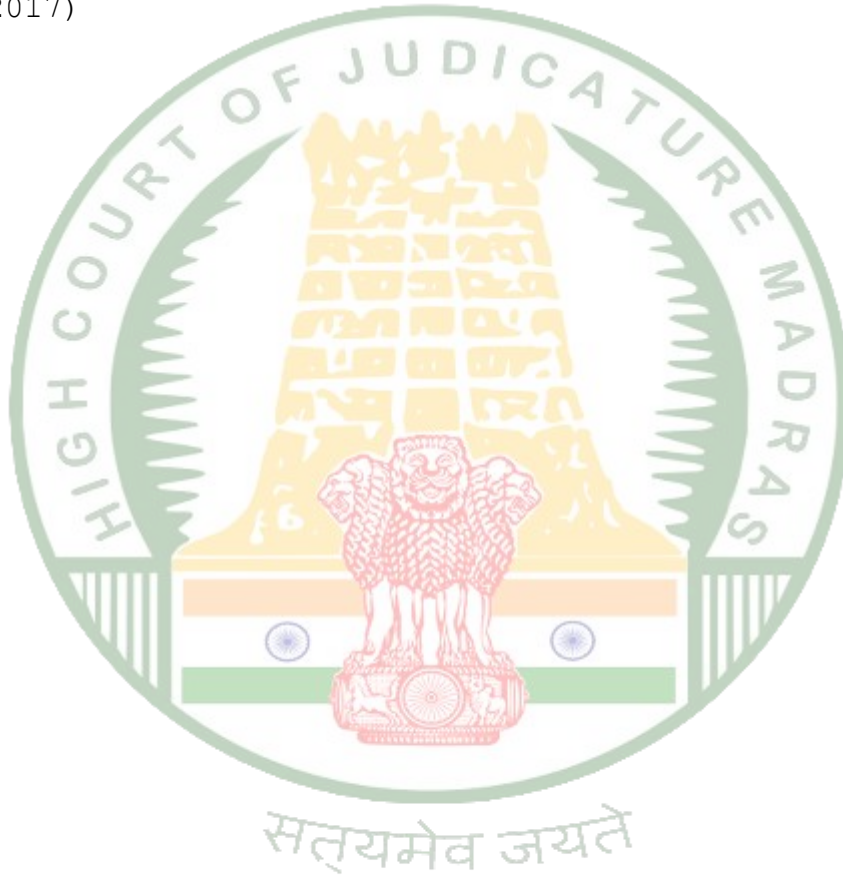
2. The Engineer in Chief and Chief Engineer (General),
Public Works Department,
Chennai-600 005.

+1 CC to Ms.Anand and Surya, Advocate sr 85601.

+1 Cc to Govt. Pleader sr 86925.

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SP(18/12/2017)



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