

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT****Dated : 17.08.2017****CORAM:**

**THE HONOURABLE MR.JUSTICE K.K.SASIDHARAN
AND
THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN**

**W.A. [MD] .No.1285 of 2016
and
C.M.P. (MD) .No.8758 of 2016**

1. The Managing Director,
Tamil Nadu Adi Dravidar Housing and
Development Corporation Limited (TAHDCO)
Thirumangalam, Chennai - 600 101.

2. The General Manager,
Administration,
Tamil Nadu Adi Dravidar Housing and
Development Corporation Limited (TAHDCO)
Thirumangalam, Chennai - 600 101.

... Appellants/Respondents

Vs.

D.Thiyagarajan

... Respondent/Petitioner

PRAYER : Writ Appeal is filed under Clause 15 of the Letters Patent, against the order dated 14.03.2013 passed by the learned Single Judge, in W.P.(MD)No.5226 of 2010.

Prayer in WP(MD). 5226/ 2010 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a WRIT OF CERTIORARIFIED MANDAMUS calling for the records relating to proceedings pertaining to impugned communication in letter No. A2/03778/07 dated 17.03.2010 on the file of 2nd respondent and quash the same as illegal and further directing the respondents to pay the salary and the difference in salary in the scale of 8,000-275-13,575 from 27.07.2003 being the date of the petitioners designation as Divisional Accountant Selection Grade.

For Appellants : Mr.D.Selvanayagam

For Respondent : Mr.Prasanth for
Mr.M.P.Senthil

**JUDGMENT**

[Judgment of the Court was delivered by **G.R. SWAMINATHAN, J.**]

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This writ appeal is directed against the order dated 14.03.2013, made in W.P.(MD)No.5226 of 2010, filed by the respondent herein. The respondent was appointed as work Assistant Grade II in the appellant Corporation on 01.04.1982. He was promoted as Junior Assistant in the year 1985. He became Assistant in the year 1988. Since he passed the exam for Divisional Accountant, he was promoted as Divisional Accountant on 09.07.1993. He was designated as Selection Grade Divisional Accountant, on his completion of ten years of service on 14.07.2004. He was designated as Selection Grade Divisional Accountant with effect from 27.07.2003 in the pay scale of Rs.6500-200-10500. Thereafter, the writ petitioner came to know that the post of Selection Grade Divisional Accountant is actually in the pay scale of Rs.8000- 275-13500. At least, two employees namely Ramasubramani and Sridhar, who were working as Selection Grade Divisional Accountants were in the said pay scale of Rs.8000- 275-13500. The writ petitioner, therefore represented to the appellants for his pay revision. But the writ petitioner's request was declined by communication dated 17.03.2010. Therefore, the respondent herein filed W.P.(MD)No.5226 of 2010 and the same was allowed by order dated 14.03.2013. Aggrieved by the same, this Writ Appeal has been filed.

2. Heard the learned counsel appearing for the appellants as well as the respondent.

3. The learned counsel appearing for the appellants reiterated the contentions raised in the grounds of appeal. It cannot be disputed that Ramasubramani and Sridhar were holding the post of Selection Grade Divisional Accountant and that they were in the pay scale of Rs.8000-275-13500. All that the writ petitioner demanded was that he should also be placed on par with them.

4. It is by applying the principle of parity, the writ petition came to be allowed.

5. This Court does not find any reason to differ from the reasoning adopted by the learned Single Judge. We find no merit in this Writ Appeal and the same is liable to be dismissed.

6. In result, this Writ Appeal is dismissed and the appellants are directed to disburse the consequential monetary benefits to the writ petitioner/respondent within a period of three months from the date of receipt of a copy of this order. No costs.



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Consequently, connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar(RTI)

/True Copy/

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Sub Assistant Registrar

+1cc to Mr.M.P.Senthil, Advocate SR.No.72999

+1cc to Mr.D.Selvanayagam, Advocate SR.No.72861

IS/GK

VB/JC/SAR2/08/09/2017/3P/3C

W.A. [MD] .No.1285 of 2016

17 August 2017