



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **03.07.2017**

CORAM:

THE HONOURABLE MR.JUSTICE **T.RAJA**

W.P (MD) No.12295 of 2017

B.Raja

... Petitioner

Vs.

1. The State of Tamil Nadu
Represented by its Secretary,
Department of Municipal Administration and Water Supply,
Secretariat, Fort St.George,
Chennai - 09.
2. The Commissioner of Municipal Administration,
Ezhilagam Annexe, Chepauk,
Chennai - 600 005.
3. The Commissioner,
Madurai Corporation,
Madurai District.
4. The District Collector,
District Collectorate,
Madurai.
5. The Assistant Commissioner-in-Charge (Service),
Madurai Corporation,
Madurai.

.. Respondents

PRAYER : Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents to provide the Regular Time Scale of pay to the petitioner in the post of Over Head Tank Operator with the time stipulated by this Court.

For Petitioner

: Mr.Louis for
T.Lajapathi Roy

For R1, R2 & R4

: Mr.K.Guru
Additional Government Pleader

**ORDER**

By consent of both sides, this writ petition itself is taken up for final disposal.

2.The petitioner, who was appointed as Over Head Tank Operator in the year 1997 in Melamadi Panchayat falling within the Madurai East Panchayat Union, has come to this Court seeking for a writ of mandamus directing the respondents to provide the Regular Time Scale of pay in the post of Over Head Tank Operator within a reasonable time to be fixed by this Court.

3.In support of his prayer, the learned counsel appearing for the petitioner would submit that when the Melamadi Panchayat was merged with Madurai Corporation, the petitioner and other persons were observed without any change in the nomenclature of pay/daily wages by G.O.(Ms) No.116, Municipal Administration and Water Supply (MC 4), dated 19.12.2012.

4.This Court would see the name of the petitioner Raja, S/o.Baluchamy working as Over Head Tank Operator with consolidated pay of Rs.2000/-, therefore, he has given a representation, dated 12.06.2017 to provide him Regular Time Scale of Pay in the post he is presently working and the said representation needs to be considered.

5.Mr.K.Guru, learned Additional Government Pleader appearing for the respondents 1,2 & 4 sought time to consider and pass orders on the petitioner's representations, dated 24.01.2012 and 12.06.2017.

6. Heard Mr.Louis, learned counsel appearing for the petitioner, Mr.K.Guru, learned Additional Government Pleader appearing for the respondents 1,2 & 4 and Mr.R.Prabhu Ramachandran, learned counsel appearing for the respondents 3 & 5.

7.Considering the limited prayer sought for in the writ petition, without going into the merits of the case, this Court directs the petitioner to give one more copy of the representation along with this order copy to the third respondent, the Commissioner, Madurai Corporation, Madurai District, within a period of one week from the date of receipt of a copy of this order and on receipt of the said representation, the third respondent is directed to consider the same and pass orders on merits and in accordance with law, within a period of eight weeks, thereafter.

Sd/-

Assistant Registrar(Writs)



To

- 1.The State of Tamil Nadu
Represented by its Secretary,
Department of Municipal Administration and Water Supply,
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Chennai - 09.
- 2.The Commissioner of Municipal Administration,
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Chennai - 600 005.
- 3.The Commissioner,
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Madurai District.
- 4.The District Collector,
District Collectorate,
Madurai.
- 5.The Assistant Commissioner-in-Charge (Service),
Madurai Corporation,
Madurai.

+1cc to Mr.R.Prabhu Ramachandran, Advocate in SR.No.63069
+1cc to Special Government Pleader in SR.No.63331

Am

AE/SV/SAR3/14.07.2017/3P/8C

W.P. (MD) No.12295 of 2017
03.07.2017