



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 27.01.2017

CORAM

THE HONOURABLE MR. JUSTICE M. DURAISWAMY

W.P (MD) No.1305 of 2017

WEB COPY

A.Mahabubkhan

... Petitioner

Vs.

1.The Principal Secretary to Government,
Public Works Department,
Secretariat,
Chennai - 600 009.

2.The Assistant Executive Engineer,
Public Works Department/Water Resource Department,
Chittar Basin Sub Division,
Tenkasi - 627 811,
Tirunelveli District.

... Respondents

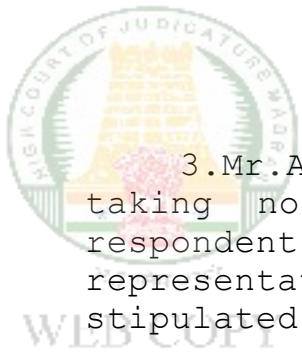
Prayer:- Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the first respondent i.e., the Principal Secretary to Government, Public Works Department, Chennai to consider the petitioner's representation, dated 19.12.2016 and pass orders sanctioning the last increment which fell due on 01.07.2011 as per the provisions contained in 26A(ix) of the Fundamental Rules which has been ordered in number of writ petitions and implemented by the Government in G.O(3D)No.64, School Education Department, dated 11.07.2014 and in G.O(3D)No.21, School Education Department, dated 19.02.2015 within a specified time frame fixed by this Court.

For Petitioner	: Mr.S.Visvalingam
For Respondents	: Mr.A.K.Baskara Pandian Special Government Pleader

ORDER

The petitioner has filed the above Writ Petition to issue a Writ of Mandamus, directing the first respondent to consider the petitioner's representation, dated 19.12.2016 and pass orders sanctioning the last increment which fell due on 01.07.2011 as per the provisions contained in 26A(ix) of the Fundamental Rules which has been ordered in number of writ petitions and implemented by the Government in G.O(3D)No.64, School Education Department, dated 11.07.2014 and in G.O(3D)No.21, School Education Department, dated 19.02.2015 within a specified time.

<https://hcservices.courtservice.in/hcservices/> The learned counsel appearing for the petitioner submitted that though the petitioner has given a representation on 19.12.2016 to the first respondent, so far the first respondent has not passed any order in view of the earlier Government Orders passed by the Government.



3.Mr.A.K.Baskara Pandian, learned Special Government Pleader taking notice for the respondents submitted that the first respondent may be directed to consider the petitioner's representation, dated 19.12.2016 and pass orders within a stipulated time.

4.Having regard to the submissions made on either side and also taking into consideration the limited prayer sought for in this Writ Petition, without expressing any opinion with regard to the merits of the case, I direct the first respondent to consider the petitioner's representation, dated 19.12.2016 and pass orders on merits and in accordance with law within a period of eight weeks from the date of receipt of a copy of this order.

5.With the above observation, the Writ Petition is disposed of. No costs.

Sd/-
Assistant Registrar(writs)

/TRUE COPY/

Sub Assistant Registrar

To

1.The Principal Secretary to Government,
Public Works Department,
Secretariat,
Chennai - 600 009.

2.The Assistant Executive Engineer,
Public Works Department/Water Resource Department,
Chittar Basin Sub Division,
Tenkasi - 627 811,
Tirunelveli District.

+1 cc to MR.S.VIsvalingam, ADVOCATE, SR NO:4680
+1cc to M/S.THE SPECIAL GOVERNMENT PLEADER, SR NO: 4734

W.P (MD) No.1305 of 2017
27.01.2017

ps
SVA/SV/MMS/08.02.2017/2P/5C