



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 15.09.2017

CORAM:

WEB COPY

THE HONOURABLE MR. JUSTICE R. MAHADEVAN

W.P (MD) Nos.17382 and 17383 of 2017

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|--------------------|----------------|---------------------------|
| 1. V.Sankaralingam | ... Petitioner | in W.P.(MD) No.17382/2017 |
| 2. P.Pitchai | ... Petitioner | in W.P.(MD) No.17383/2017 |

-vs-

- | | |
|---|-----------------------------------|
| 1. The Principal Secretary to Government,
Municipal Administration & Water Supply,
Secretariat, Fort St.George,
Chennai-600 009. | |
| 2. The Director of Municipal Administration,
Ezhilagam, Chepauk,
Chepauk, Chennai-600 005. | |
| 3. The Commissioner,
Madurai Corporation,
Madurai. | ... Respondents in both Petitions |

PRAYER in W.P.(MD) No.17382/2017: Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondents to pay a sum of Rs.1,10,760/-, which was deducted from the petitioners gratuity and further direct the respondents to re-fix petitioner's pension on the basis of 5200-20200 GP 2400 pay scale by considering petitioner's representation dated 17.04.2017 within the time frame that may be stipulated by this Hon'ble Court.

PRAYER in W.P.(MD) No.17383/2017: Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondents to pay a sum of Rs.1,05,689/-, which was deducted from the petitioner's Gratuity and further direct the respondents to re-fix petitioner's pension on the basis of 5200-20200 GP 2400 pay scale by considering the petitioner's representation dated 17.04.2017.

For Petitioners : Mr.A.Robinson

For R1 & R2 : Mr.J.Gunaseelan Muthiah
Govt. Advocate

For R3 : Mr.R.Prabhu Ramachandran

C O M M O N O R D E R

The writ petition in W.P.(MD) No.17382 of 2017 has been filed, seeking a direction to the respondents to pay a sum of Rs.1,10,760/-, which was deducted from the petitioners gratuity and further direct the respondents to re-fix petitioner's pension on the basis of 5200-20200 GP 2400 pay scale by considering petitioner's representation dated 17.04.2017. In W.P.(MD) No.17383 of 2017, the petitioner seeks a direction to the respondents to pay a sum of Rs.1,05,689/-, which was deducted from the petitioner's Gratuity and further direct the respondents to re-fix the petitioner's pension on the basis of 5200-20200 GP 2400 pay scale by considering the petitioner's representation dated 17.04.2017.

2. Heard the learned counsel for the parties.

3. For the sake of brevity, the facts are being taken from W.P.(MD) No.17382 of 2017. It is the case of the petitioner that based on the letter dated 21.05.2015 of the 2nd respondent, addressed to all the Municipalities, the 3rd respondent had unilaterally revised his pension and also deducted a sum of Rs.1,10,760/- from his gratuity amount, though the said letter is not applicable to him. Aggrieved by such revision and deduction, the petitioner approached the respondents by way of representation dated 17.04.2017 and since there was no response on his representation, the petitioner is before this Court with the above prayer.

4. At this juncture, the learned Government Advocate appearing for R1 & R2 and the learned Standing Counsel appearing for R3 would submit that if a reasonable time is granted to the respondents, the representation of the petitioners will be considered and suitable orders passed.

5. Under such circumstances, this Court, without going into the merits of the matter, directs the respondents to consider the representation of the petitioners dated 17.04.2017 and pass appropriate orders thereon on merits and in accordance with law, within a period of six weeks from the date of receipt of a copy of this order.

6. With the above direction, these petitions are disposed of. No costs.

Sd/-

Assistant Registrar(AE)



To:

WEB COPY

1. The Principal Secretary to Government,
Municipal Administration & Water Supply,
Secretariat, Fort St.George,
Chennai-600 009.
2. The Director of Municipal Administration,
Ezhilagam, Chepauk,
Chepauk, Chennai-600 005.
3. The Commissioner,
Madurai Corporation,
Madurai.

+2ccs to M/s.A.Robinson, Advocate, SR.Nos.79124 and 79125

+2ccs to Mr.R.Prabu Ramachandran, Advocate, SR.Nos.78953 and 78954

+One cc to The Special Government Pleader, SR.No.79080

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RL/9C/3P/JC/SAR1/26/9/2017

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