



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

RESERVED ON : 23.11.2016

PRONOUNCED ON : 05.01.2017

WEB COPY

CORAM:

THE HONOURABLE MR.JUSTICE M.GOVINDARAJ

W.P. (MD) No.11654 of 2011

D.Radhakrishnan

... Petitioner

-vs-

1.The Government of India
rep.by its Secretary
Ministry of Defence, New Delhi

2.The Heavy Alloy Penetrator Project
Government of India
rep.by the Senior General Manager
Heavy Alloy Penetrator Project
Ministry of Defence, Trichy-25

3.Sri Ramakrishna Dapovanam
Tiruparaithurai
rep.by its President
Sri Ramakrishna Dapovanam
Tiruparaithurai, Trichirapalli District

... Respondents

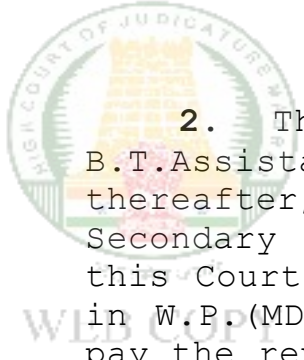
PRAYER: Writ Petition is filed under Article 226 of the Constitution of India for issuance of writ of mandamus directing the second respondent to pay the arrears of salary as per 6th Pay Commission from 01.01.2007 to 03.10.2010 to the petitioner.

For Petitioner : Mr.S.Muthukrishnan

For Respondents : Mr.C.Nandagopal, C.G.S.C., for R1 & R2
Mr.D.Nallathambi for R3

O R D E R

The prayer in this writ petition is for issuance of a writ of mandamus to direct the second respondent to pay the arrears of salary, as per 6th Pay Commission, from 01.01.2007 to 03.10.2010, to the petitioner.



2. The writ petitioner was initially appointed as a B.T.Assistant, in the third respondent School on 06.09.1994, and thereafter, on 04.10.2010, he had joined the Government Higher Secondary School, Mathur, Pudukkottai District. On 01.07.2011, this Court granted a positive direction, in M.P.(MD) No.4 of 2009 in W.P.(MD) No.12110 of 2009, directing the second respondent to pay the revised salary that was given to the Tamil Nadu Government employees as well as arrears to the petitioners therein. But, the petitioner herein was not a party in W.P.(MD) No.12110 of 2009. Therefore, the claim of the petitioner is not sustainable.

3. In the result, the writ petition fails and it is dismissed. No costs.

Sd/-

Assistant Registrar(CO)

/True Copy/

Sub Assistant Registrar

To:

- 1.The Secretary,
Government of India,
Ministry of Defence,
New Delhi.
2. The Senior General Manager
The Heavy Alloy Penetrator Project
Government of India
Heavy Alloy Penetrator Project
Ministry of Defence, Trichy-25

PRE-DELIVERY ORDER

IN

W.P. (MD) No.11654 of 2011

05.01.2017

SMA/SV/25.01.2017:2P/3C