

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 06.08.2018
Coram

The Hon'ble Mr. Justice Satrugana Pujahari

Writ Petition No. 20171 of 2018

M. Shanmugam

...Petitioner

Vs.

1. The Director of Public Health and Preventive Medicine, No. 359, Anna Salai, Chennai - 600 006.
2. Chief Water Analyst, 219, Race Course Road, Coimbatore 18.

...Respondents

Writ Petition filed under Article 226 of the Constitution of India, for issuance of Writ of Mandamus directing the first respondent to step up the pay of the petitioner in the post of Selection Grade Assistant Water Analyst on par with his junior with effect from 01.01.2007 and grant him all consequential benefits of revision of pay in the promoted post of Chief Water Analyst arrears of revised pay and revision of retirement and pensionary benefits in the light of the proposal of the second respondent in proceedings No. R.No. 0096/A1/2008(CWA-CBE) dated 03.04.2008 second respondent to the first respondent and the petitioner's representation dated 24.01.2018 within a limited time frame as deemed fit by this Hon'ble Court.

For Petitioners : Mr. M. Ravi
For Respondents : M/s. Thanga Vadhana Balakrishnan
Additional Government Pleader

ORDER

Heard Mr. M. Ravi, the learned counsel appearing for the petitioner and M/s. Thanga Vadhana Balakrishnan, the learned Government Advocate who accepts notice on behalf of the respondents. With the consent of the learned counsel on either side, the Writ Petition is taken up for disposal.

2. The grievance of the petitioner, in this Writ Petition is that, though he is working as Chief Water Analyst, the

persons, who are juniors to him are receiving higher scale of pay than him. Therefore, he wants step-up his pay to the scale of pay of his juniors from 01.01.2007. The petitioner, in this regard, though has made a representation to the second respondent, which has been forwarded to the first respondent on 03.04.2008, vide Proceedings bearing No. R.No. 0096/A1/2008(CWA-CBE) by the second respondent and he has also made a representation to the respondents on 24.01.2018, but the same having not been attended to, or in other words, no order having been passed on the same, he came to this Court seeking a direction to the first respondent to take a decision on his representation by considering the proposal of the second respondent in this regard.

3. Considering the limited nature of relief sought for by the petitioner, no useful purpose is going to be served in keeping this Writ Petition pending. The learned Additional Government Pleader for the respondents also agrees that, if such representation is pending, the same shall be considered by the first respondent in accordance with law, and as such, but, this Court should not put any fetter on merit in any manner, towards disposal of such representation in the absence of counter affidavit to be filed.

4. Regard being had to the aforesaid facts and the submissions made and without expressing any opinion on the merit of such representation, this Court disposes of this Writ Petition in the absence of counter affidavit with a direction to the first respondent to take an informed and considered decision on the representation of the petitioner, dated 24.01.2018, taking note of the recommendation of the second respondent, but, in accordance with law, within a period of six weeks from the date of receipt of a copy of this order, if there is no other legal impediment for such disposal. No Costs.

sd

Sd/-

Assistant Registrar(CS IX)

//True Copy//

Sub Assistant Registrar

To

1.The Director of Public Health and Preventive
Medicine, No. 359, Anna Salai,
Chennai - 600 006.

2. Chief Water Analyst,
219, Race Course Road,
Coimbatore.

+1cc to Mr.M.Ravi, Advocate SR.NO.54338
+1cc to Government Pleader SR.NO.54261

RK(CO)
sm:6.9.2018

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