

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATE: 24.04.2018

CORAM

THE HONOURABLE MR.JUSTICE SATRUGHANA PUJAHARI

W.P.No.10156/2018

M.S.Sekar

... Petitioner

Versus

1. The Secretary to Government,
Personnel and Administrative Reforms Department
Secretariat
Chennai - 600 009

2. The Secretary to Government
Revenue and Disaster Management Department
Secretariat
Chennai - 600 009

... Respondents

Prayer:

Writ Petition filed under Article 226 of the Constitution of India, seeking for a writ of mandamus, directing the 1st respondent to consider the petitioner for availing the service benefits in accordance with the orders issued in G.O.(Ms) No.112 P & AR Department dated 13.07.2012 on par with his Junior Tmt.S.Saraswathy in the light of the orders issued by this Court in W.P.No.25556 of 2013 dated 8.4.2014 which was upheld by the Division Bench by dismissing the writ appeal filed by the Government in W.A.No.971 of 2014 dated 18.03.2016, within a reasonable period as may be fixed by this Court.

For Petitioner : Mr.T.Ranganathan

For RR 1 to 2 : Mr.N.Srinivasan,

Additional Government Pleader

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O R D E R

This writ petition has been filed by the petitioner to issue a direction to the 1st respondent to consider the name of the petitioner for availing the service benefits in accordance with the orders issued in G.O.(Ms) No.112 P & AR Department dated 13.07.2012 on par with his Junior Tmt.S.Saraswathy in the light of the orders issued by this Court in W.P.No.25556 of 2013

dated 8.4.2014, which was upheld by the Division Bench of this Court in W.A.No.971 of 2014 dated 18.03.2016.

2. The petitioner is working as a Section Officer in the Tamil Nadu Secretariat. The grievance of the petitioner in this writ petition is that his junior, who was appointed later to him, is getting more pay and therefore, he has given a representation to the first respondent on 05.04.2018, but the said representation has not been addressed. Hence, he came forward to file this writ petition seeking a direction to the first respondent to dispose of his representation, as he is going to retire shortly.

3. Considering the limited scope of the prayer, this Court is of the view that no useful purpose will be served by directing the respondents to file a counter affidavit in this case.

Accordingly, this writ petition is disposed of with a direction to the first respondent to consider and dispose of the petitioner's representation dated 05.04.2018 and pass orders on merits and in accordance with law within a period of 15 days from the date of receipt of a copy of this order. However, it is made clear that the direction of this Court should not be construed as an expressed opinion on the merits of such representation. No costs.

Sd/-
Assistant Registrar(CS V)

//True Copy//

Sub Assistant Registrar

gpa
To

1. The Secretary to Government,
Personnel and Administrative Reforms Department
Secretariat, Chennai - 600 009
2. The Secretary to Government
Revenue and Disaster Management Department
Secretariat, Chennai - 600 009.

+1cc to Mr.T.Ranganathan, Advocate, S.R.No.30430
+1cc to the Government Pleader, S.R.No.31262

W.P.No.10156 of 2018

sg(co)
cs/18/05/18