

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13.12.2018

Coram :

The Hon'ble Mr. Justice M.M.SUNDRESH
and
The Hon'ble Mr. Justice KRISHNAN RAMASAMY

W.A.No.857 of 2013

K.S.Ramasamy

...Appellant/Petitioner

Vs

1.The Government of Tamil Nadu
rep. by Secretary to Government,
Public Works Department,
Fort St. George, Chennai - 9.

2.The Chief Engineer (General),
Public Works Department,
Chepauk, Chennai - 9.

...Respondents/Respondents

Appeal preferred under Clause XV of Letters Patent against
the order dated 14.11.2017 made in W.P.No.20464 of 2006.

W.P.No.20464 of 2006: Petition praying this court to call
for the records relating to the impugned order of the second
respondent in letter No.AD1(1)/96463/89/CP dated 19.1.1994 and
quash the same and direct the respondents to grant selection
Grade in the post of Superintendent to the petitioner with
effect from 1.10.1978 on par with his junior Mr.M.Rajappa with
monetary benefit from 1.10.1978 and pay him the arrears.

For Appellant : Mr.R.Thirugnanam

For Respondents: Ms.A.Sri Jayanthi,
Spl.Govt. Pleader

JUDGMENT

(Judgment of the Court was delivered by M.M.SUNDRESH, J.)

This writ appeal is arising out of the order dated
14.11.2017 made in W.P.No.20464 of 2006, whereby the learned
single Judge dismissed the writ petition.

2.The issue involved in this appeal is with respect to the stepping up of pay of the appellant on par with his junior M.Rajappa.

3.The facts admitted would reveal that the said Rajappa was promoted earlier to the appellant and he was placed above him after One Unit System was introduced. Since Rajappa was promoted earlier, he was drawing the pay of Rs.525/- as against the appellant, who was drawing Rs.500/-. This was done with effect from 31.03.1978. The appellant, after having slept over the matter, made a representation in 1993. Not only that, the request was rejected by way of two separate Government Orders. These orders have not been challenged. What has been challenged is only a consequential letter of the Chief Engineer (General), Public Works Department, Chennai.

4.In such view of the matter, we do not find any merit in the appeal, more so, when the writ petition itself has been filed in the year 2006 seeking to raise an issue, which has come into existence on 01.04.78. Accordingly, the writ appeal stands dismissed. No costs.

mmi

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

To

1. The Secretary to Government,
Public Works Department,
Fort St. George, Chennai - 9.

2. The Chief Engineer (General),
Public Works Department,
Chepauk, Chennai - 9.

+1cc to Mr.R.Thirugnanam, Advocate, S.R.No.86775
+1cc to the Government Pleader, S.R.No.86671

W.A.No.857 of 2013

GP(CO)
KAK(23/01/2019)