

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATE : 23.10.2018
CORAM
THE HONOURABLE Mr. JUSTICE.R.SURESH KUMAR

W.P.No. 38450 of 2003 &
W.P.No.22991 of 2006

NLC Officers Association
A Registered Trade Union
Rep by its General Secretary
E-47, Zakir Hussain Road,
Block 16, Neyveli 607 801. ...Petitioner in W.P.No.38450/03

1.R.Rajagopalan
2.R.Sankaran
3.A.Velayutham
4.N.Srinivasan
5.S.Balasubramanian
6.K.Balasubramanian
... Petitioners in W.P.No.22991/06

- Vs -

1.Neyveli Lignite Corporation Limited,
rep. by its Chairman-cum-Managing Director
Neyveli 607 801.

2.The Director Personnel
Neyveli Lignite Corporation Limited,
Corporate Office, Block-I,
Neyveli 607 801.
... Respondents in both W.Ps.

Prayer in both W.Ps. : Writ petition filed under Article 226 of the Constitution of India, to issue appropriate Writ of Mandamus directing the respondents to consider the representation dated 19.05.2003 of the petitioner and consequently, step up the pay of the seniors in the post of Junior personnel officers (Selection Grade) to bring it on par with that of Mr.L.John Maria Joseph with effect from 01.01.1997, and grant all consequential benefits.

For Petitioner in
W.P.No.38450/03 : Mr.Vinod Kumar

For Petitioner in
W.P.No.22991/03 : Mr.Sundar Narayanan

For Respondents
in both W.Ps. : Mr.N.Nithianandam

For R1 & R2

COMMON ORDER

The innocuous prayer sought for by the petitioners in these writ petitions are for a Writ of Mandamus, to consider the representation dated 19.05.2003, given to the respondents and to pass orders thereon with regard to the stepping up of their pay of the seniors in the post of Junior Personal Officers (Selection Grade) and to bring it on par with that of Mr.L.John Maria Joseph, with effect from 01.01.1997.

2. Heard the learned counsel appearing for the petitioners and Mr.N.Nithianandam, learned Standing Counsel appearing for the respondents.

3. Though such a prayer has been sought for some time in the year 2003, all these years, these writ petitions were kept pending and whether the said representation of the petitioner's dated 19.05.2003 has been disposed of or not, has not been made known at this juncture.

4. At any rate, in view of the innocuous prayer sought for by the petitioners in both the writ petitions to consider the representation and to pass orders on merits, I am inclined to pass the following orders in these writ petitions:

(i) That the respondents are directed to consider the representation of the petitioners dated 19.05.2003 on merits and in accordance with law and pass orders thereon, if not already considered.

(ii) It is made clear that once the representation is considered pursuant to this order, the benefits sought for by the petitioner association, through the said representation can also be considered and accordingly, a decision can be taken. Once a decision is taken by the respondents to extend any such benefits as asked for, the same can also be extended, within a period of three months, from the date of receipt of a copy of this order.

With these directions these writ petitions are disposed of. No costs. Consequently, connected miscellaneous petitions are closed.

23.10.2018

Index : Yes / No

Speaking Order/Non-Speaking Order

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To,

1. The Chairman-cum-Managing Director
Neyveli Lignite Corporation Limited,
Neyveli - 607 801.

2.The Director (Personnel),
Neyveli Lignite Corporation Limited,
Corporate Office, Block-I,
Neyveli 607 801.

R.SURESH KUMAR, J.

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W.P.No.22991 of 2006

23.10.2018