

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16.05.2018

CORAM

THE HONOURABLE MR. JUSTICE C.V. KARTHIKEYAN

W.P. No. 12458 of 2018

D. Ambiga

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Petitioner

Vs.

1. The Secretary to Government,
Public Works Department,
Fort St. George,
Chennai 600 009.
2. The Secretary to Government,
Finance Department,
Fort St. George,
Chennai 600 009.
3. The Chief Engineer (Buildings) (General),
Public Works Department,
Chepauk, Chennai 600 005.
4. The Chief Engineer,
Public Works Department,
Designs Research and Constructing
Support,
Chepauk, Chennai 600 005.
5. The Superintendent Engineer,
Public Works Department,
Institute of Hydraulics & Hydrology,
Poondy 602 023.

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Respondents

Prayer: Petition under Article 226 of the Constitution of India praying for issue of a Writ of Mandamus directing the 3rd respondent to consider the petitioner's representation dated 24.10.2017 within a stipulated period.

For Petitioner :: Mr. Bhoopathy Rajan

For Respondents:: Mrs.K.Bhuvaneswari

Additional Government Pleader

O R D E R

This Writ Petition has been filed seeking for a direction to the 3rd respondent to consider the petitioner's representation dated 24.10.2017 within a stipulated period.

2. Mrs.K.Bhuvaneswari, learned Additional Government Pleader accepts notice on behalf of respondents.

3. By consent of both sides, the Writ Petition is taken up for final disposal at the stage of admission itself.

4. Heard the learned counsel appearing for the petitioner as well as learned Additional Government Pleader who accepts notice on behalf of the respondents.

5. The grievance of the petitioner is that she was serving as a Time Keeper and Skilled Assistant Grade -2 for the past 33 years without any blemish and she retired from the Public Works Department on 31.10.2014. In the meantime, a Government order was passed and based on the Government Order, the 3rd respondent vide order No.A3/481/KO-1/2014 dated 17.04.2014, has revised the Grade pay of the petitioner as Rs.4,400/- with effect from 01.01.2006 and the petitioner had not received the Grade pay from 01.04.2013.

5. It is further stated that the petitioner's pension was fixed at Rs.18,000/- per month with effect from 31.10.2014 and as a holder of PPO No.R1514089/PW, the petitioner was drawing her pension from the District Treasury, Thiruvallur and as per the Government order, the petitioner's salary was fixed as Rs.5,200-Rs.20,200 + Revised Grade pay with notional effect from 01.01.2006, the above revision is only applicable to the entry level trade post in all Government Departments including local bodies. As per the letter of the office of the Accountant General, Chennai in letter No.PEN30/1-74/17-18 dated 10.08.2017 clarified that promotion avenue, scale of pay/ pay band applicable have to be fixed / determined by the Head of the department only and the Head of the department has made the observation that there is no promotion for the said post and hence, the selection grade Skilled Grade II are eligible for Higher grade of Rs.4,200/- and Rs.4,400/-. The grievance expressed by the petitioner is that her friends in the same office have recieved the revision as per the above said Government Order. In this regard, she submitted a representation to the 3rd respondent on 24.10.2017. Since, no response is forthcoming, the petitioner constrained to approach this Court by filing the present writ petition.

6. Taking into consideration the limited scope of the prayer made by the petitioner, this Court, without going into the merits of the representation, directs the third respondent to consider the representation submitted by the petitioner, dated 24.10.2017 and pass orders on merits and in accordance with law, on or before 31.07.2018.

7. With the above said direction, the Writ Petition is disposed of. No costs.

Sd/-
Assistant Registrar/Vacation Officer

//True Copy//

Sub Assistant Registrar

To

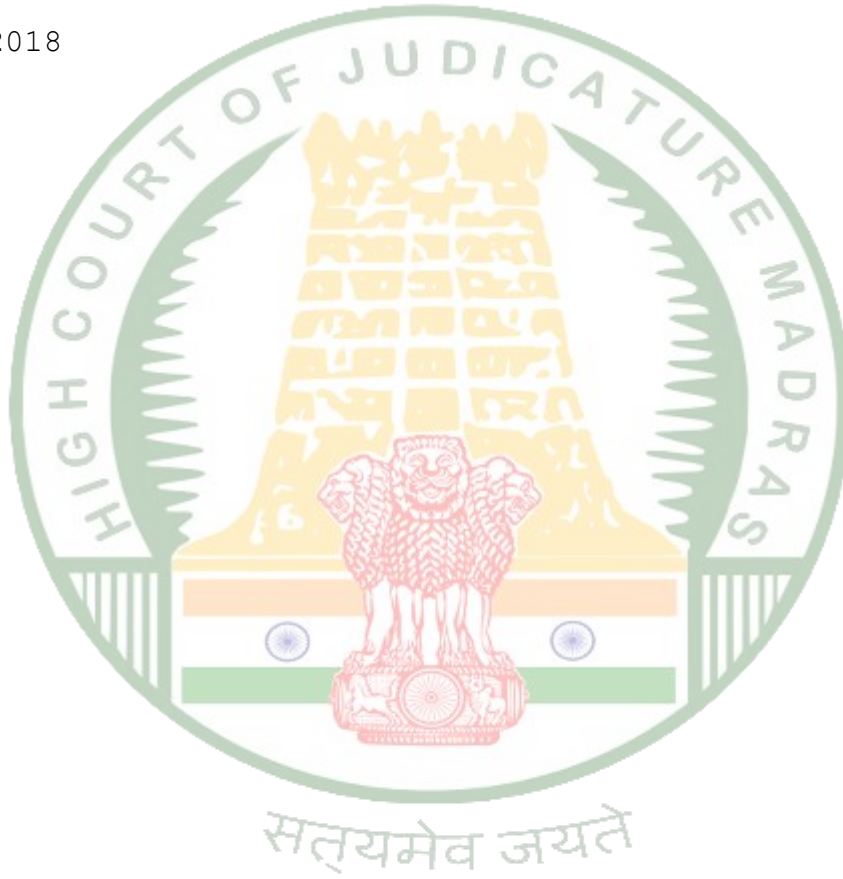
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5. The Superintendent Engineer,
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Poondy 602 023.

+1cc to Mr. Bhoopathy Rajan, Advocate sr.no.33704
+1cc to The Government Pleader in sr.no.33837

W.P. No. 12458 of 2018

rj(co)
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