

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12.06.2018

CORAM:

THE HON'BLE MR.JUSTICE M.VENUGOPAL

AND

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

W.P.No.14099 of 2018

K.Bhoopalan

... Petitioner

vs.

1.The Registrar General,  
High Court Madras,  
Chennai-600 104.

2.The Secretary to Government,  
Home (Courts) Department,  
Fort St.George,  
Chennai-600 009

3.The District Judge,  
Nagapattinam

.... Respondents

(R3-Suo-motu impleaded by this  
Court, vide Order dt.12.06.2018-  
M.V.J and M.N.K.J.)

Petition filed under Article 226 of the Constitution of India praying to issue a writ of Mandamus, to direct the respondents to consider and pass orders on the petitioner's representation dated 03.12.2017, relating to fixation of Pay of Selection Grade Process Server, w.e.f. 24.06.1992, consequently refix the selection Grade Pay, pensionary benefits to the petitioner.

For Petitioner : Mrs.V.V.Sathya

For Respondents : Mr.S.Thangavel for R1  
Mr.Rajendra Prasad,A.G.P.for R2  
ORDER

(Order of the Court was made by M.VENUGOPAL,J.)

Heard the Learned Counsel for the Petitioner, the Learned Counsel for the First Respondent and the Learned Additional Government Pleader the Second Respondent.

2.It is represented on behalf of the First Respondent/High Court, Madras that the Representation/Petition of the Petitioner dated 03.12.2017 was forwarded to the District Judge, Nagapattinam, Vide R.O.C.No.96133/2018/C3, dated 07.02.2018, for taking action at his end. Significantly, the Petitioner has not arrayed the District Judge, Nagapattinam, as one of the Respondents to the present Writ Petition.

3.Inasmuch as the Petitioner's Petition dated 03.12.2017 was forwarded to the District Judge, Nagapattinam District, this Court deems it fit and proper in Suo-motu impleading the District Judge, Nagapattinam District as Third Respondent to the present Writ Petition. Accordingly, the District Judge, Nagapattinam District, is impleaded as Third Respondent in the present Writ Petition.

4.To avoid an avoidable delay, notice to the newly impleaded/added Third Respondent is dispensed with.

5.Considering the limited relief sought for by the Petitioner in the present Writ Petition praying for passing of an Order by this Court in directing the Respondents to consider and pass orders on his Petition/Representation, dated 03.12.2017, pertaining to fixation of Pay of Selection Grade Process Server with effect from 24.6.1992, and consequently, to refix the Selection Grade Pay, Pensionary Benefits to him and also this Court keeping in mind yet another pivotal fact that the Representation/Petition of the Petitioner dated 03.12.2017 was forwarded by the First Respondent in ROC No.96133/2018/C3, dated 07.02.2018 to the Third Respondent/District Judge, Nagapattinam, this Court, on the basis of equity, fair play, good conscience and even as a matter of prudence, directs the Third Respondent/District Judge, Nagapattinam, to look into the Representation/Petition of the Petitioner dated 03.12.2017 and to dispose of the same within a period of six weeks from the date of receipt of copy of this Order. Soon after the disposal of the Petition/Representation of the Petitioner, dated 03.12.2017, by the Third Respondent/District Judge, Nagapattinam, he shall submit a 'report of compliance' to the Registrar(Judicial) of this Court without fail.

With the above said observation/Direction, the Writ Petition is disposed of. No costs.

Sd/-  
Assistant Registrar(CS VIII)

//True Copy//  
Sub Assistant Registrar

To

1.The Registrar General,  
High Court Madras,  
Chennai-600 104.

2.The Secretary to Government,  
Home (Courts) Department,  
Fort St.George,  
Chennai-600 009

3.The District Judge,  
Nagapattinam.

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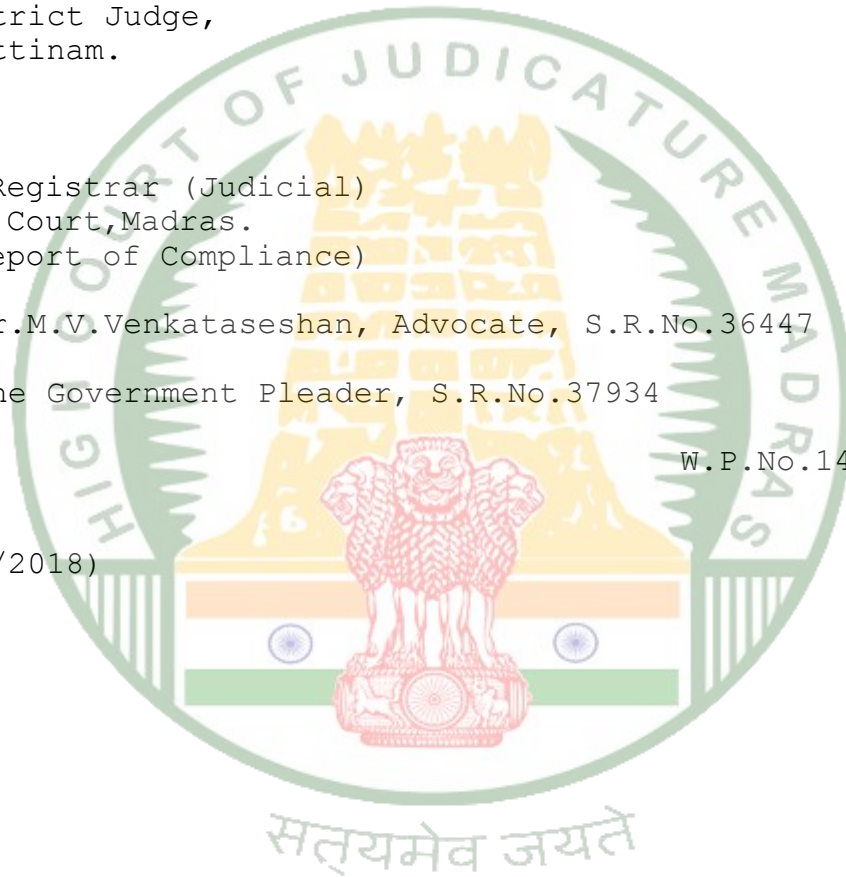
The Registrar (Judicial)  
High Court, Madras.  
(A Report of Compliance)

+1cc to Mr.M.V.Venkataseshan, Advocate, S.R.No.36447

+1cc to the Government Pleader, S.R.No.37934

W.P.No.14099 of 2018

MP (CO)  
GSP (04/07/2018)



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