

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED: 19.12.2018

CORAM:

THE HON'BLE MR.JUSTICE V.BHARATHIDASAN

W.P.No.28362 of 2014

Ramachandran

... Petitioner

Vs.

1. The Managing Director cum Chairman,
Tamil Nadu Civil Supplies Corporation,
No.42, Thambu samy Road,
Kilpauk,
Chennai.

2. The Regional Manager,
Tamil Nadu Civil Supplies Corporation,
Salem Main Road,
Dharamapuri - 5.

... Respondents

PRAYER : Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus, directing the respondents to disburse the differential salary and other consequential benefits upon his reinstatement for the post of Junior Assistant with effect from 31.12.1990- till date and other consequential benefits to the petitioner.

For Petitioner : Mr.G.Rajan

For Respondents : Mr.L.P.Shanmugasundaram,
Special Government Pleader,
for R1

O R D E R

This writ petition has been filed seeking a direction to the second respondent to disburse the differential salary and other consequential benefits payable to the petitioner.

2. The Grievance of the petitioner is that, earlier the petitioner was promoted to the post of Junior

Assistant with effect from 31.12.1990. Thereafter, he was reverted to the post of Bill Clerk. Challenging the same, he has filed a writ petition in W.P.No.852 of 1991, and this Court by an order dated 12.08.1991, directed the respondents to restore the original position as Junior Assistant. Thereafter, the petitioner was once again reverted back on the basis of the circular No.14 dated 11.07.1991, hence he has filed another writ petition, in W.P.No.16196/1991, challenging the circular, and W.P.No.10676/1991 challenging the reversion order passed by the respondent based on the circular. Both the writ petitions were allowed by this Court, and the order passed by this Court had become final. In the meantime, the petitioner was retired from the service. Hence, he made a representation to pay the differential salary. But, the said representation was not considered so far. Hence, the present writ petition has been filed.

3. Considering the fact that since the representation is pending from 2013, without going into the merits of the case, the second respondent is directed to consider the petitioner's representation and pass suitable orders on merits and in accordance with law after giving opportunity to the petitioner, within a period of eight weeks from the date of receipt of a copy of this order.

4. With the above directions, this writ petition is disposed of. No costs.

Sd/-

Assistant Registrar(CS)

//True Copy//

Sub Assistant Registrar

mrp

1. The Managing Director cum Chairman,
Tamil Nadu Civil Supplies Corporation,
No.42, Thambu samy Road,
Kilpauk, Chennai.
2. The Regional Manager,
Tamil Nadu Civil Supplies Corporation,
Salem Main Road, Dharamapuri - 5.

+1cc to Mr.L.P.Shanmugasundaram, , Advocate SR.No. 88583

+1cc to Mr. G.Rajan, Advocate SR.No. 88229

W.P.No.28362 of 2014

A.SK(26/02/2019)