

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATE: 17.09.2018
CORAM
THE HONOURABLE MR.JUSTICE SATRUGHANA PUJAHARI
W.P.Nos.18379 to 18383 of 2018

T.Sulochana	Petitioner in W.P.No.18379 to 2018
P.Bakiyaraj	Petitioner in W.P.No.18380 to 2018
M.Raja	Petitioner in W.P.No.18381 to 2018
T.Sivakumar	Petitioner in W.P.No.18382 to 2018
G.Kalaiyarasu	Petitioner in W.P.No.18383 to 2018

Vs

1. The State of Tamil Nadu rep. by its
Secretary to Government,
Finance (Pay Cell) Department,
Secretariat,
Chennai - 600 009.
 2. The Commissioner of Revenue Administration,
Chepauk,
Chennai-5
 3. The Revenue Divisional Officer,
Salem,
Salem District
 4. The Tahsildar,
Salem South Taluk,
Salem,
Salem District
 5. The Assistant Sub-Treasury Officer,
Salem,
Salem District
- ... Respondents in all W.P.'s

Common Prayer:- Writ petitions filed under Article 226 of the Constitution of India praying to issue a writ of mandamus directing the respondents to consider the claims of the petitioners for granting higher start of pay as per the Government Order in G.O.Ms.No.321, Finance (Pay Cell) Department, dated 02.07.1998 and grant higher start of pay for possessing degree qualification w.e.f. 09.04.2012, 11.04.2012, 09.02.2013, 13.04.2012 & 13.04.2012 respectively and fix the petitioners' pay and pay arrears arising out of fixation.

For Petitioner : Mr.G.Elanchezhian
in all W.P.'s

For Respondents : Mrs.R.Janaki,
in all W.P.'s Additional Government Pleader

COMMON ORDER

The case of the petitioners, who are working as Village Administrative Officers in various Taluks, in these cases is that though they had been sanctioned higher start of pay for possessing higher qualification in view of the Government Order in G.O.Ms.No.321, Finance (Pay Cell) Department dated 02.07.1998 but the fifth respondent has refused to audit the bills in respect of the petitioners so also to encash the same. The petitioners case is that no doubt, the Government had passed a Government Order in G.O.Ms.No.241 Finance(Pay Cell) Department dated 22.07.2013 indicating that the higher start of pay granted to Junior Assistants / Typists, would be dispensed with, but subsequently in Lr.No.22949/Pay Cell/ 2015-1 dated 09.02.2016, has clarified that one Thiru.Ezhilarasan, who had been appointed as Junior Assistant on 01.02.2013 i.e. prior to 01.04.2013, was entitled to higher start of pay and hence the petitioners, who are similarly situated persons, are also entitled to the same. According to the petitioners, the above Government letter shall also apply to Graduate Village Administrative Officers of Revenue Department. But when the bills for claiming such benefit was submitted before the fifth respondent, the same has been refused and as such the petitioners have made representations to the second respondent in this regard, but as the same have evoked no response, the petitioners came to file the writ petitions seeking writ of mandamus directing the respondents to consider the representations of the petitioners and grant higher start of pay for possessing degree qualification with effect from the date when they acquired the degree qualification.

2. The learned counsel appearing for the petitioners, submits that the petitioners have filed these writ petitions seeking writ of mandamus and as such the second respondent be directed to dispose of the representations of the petitioners in a time bound manner.

3. Mrs.R.Janaki, the learned Additional Government Pleader appearing for the respondents submits that the second respondent shall have no objection to dispose of the representations within a stipulated period.

4. Considering the submissions made by the learned counsel for the parties, this Court dispose of these writ petitions with the direction to the second respondent to dispose of the representations made by the petitioners, if the same are pending, within the period of four weeks from the date of receipt of a copy of this order, if there is no other legal impediment to dispose of the same. However, this Court has not expressed any opinion on the merits of such representations. No costs.

Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

1 o k
To

1. The Secretary to Government,
State of Tamil Nadu,
Finance (Pay Cell) Department,
Secretariat,
Chennai - 600 009.
2. The Commissioner of Revenue Administration,
Chepauk,
Chennai-5
3. The Revenue Divisional Officer,
Salem,
Salem District
4. The Tahsildar,
Salem South Taluk,
Salem,
Salem District
5. The Assistant Sub-Treasury Officer,
Salem,
Salem District

+1 cc to M/s.G.Elanchezhian Advocate sr 64436

W.P.Nos.18379 to 18383 of 2018

aa15/10/2018