

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.11.2018

CORAM

THE HON'BLE DR.JUSTICE S.VIMALA

W.P.No.31198,31200, 31209, 31214, 31219,31223,31228,
31230,31233, 31235,31238 and 31239 of 2018

1.P.Thangavelu ... PETITIONER in WP No.31198 of 2018
2 S.KAALIMUTHU ... PETITIONER in WP No.31200 of 2018
3 R.GANAPATHY ... PETITIONER in WP No.31209 of 2018
4 C.KAALIYAPPAN ... PETITIONER in WP No.31214 of 2018
5 V.M.MURUGESAN ... PETITIONER in WP No.31219 of 2018
6 N.KARUNANIDHI ... PETITIONER in WP No.31223 of 2018
7 D.BOOPATHI ... PETITIONER in WP No.31228 of 2018
8 V.GOVINDARAJ ... PETITIONER in WP No.31230 of 2018
9 K.NATARAJAN ... PETITIONER in WP No.31233 of 2018
10 G.ELANGO VAN ... PETITIONER in WP No.31235 of 2018
11 G. ASHOK KUMAR ... PETITIONER in WP No.31238 of 2018
12 M.CHITRARASAN ... PETITIONER in WP No.31239 of 2018

Vs

1.The Government of Tamil Nadu
Rep.by its Principal Secretary to Government
Finance Department, Secretariat, Fort St.George
Chennai - 600 009.
2.The Principal Secretary
Personnel & Administrative Reforms Department
Secretariat, Fort St.George, Chennai-600 009.
3.The Director
Local Fund Audit Department
Nandanam, Chennai 600 035.
4.The Chief Internal Auditor
Internal Audit and Statutory Board Audit Department
Nandanam, Chennai 600 035. Respondents

For Petitioner in all petitions : Mr.R.Jayaprakash

For Respondents in all petitions : Mr.A.N.Thambidurai
Special Government Pleader

Prayer in WP No.31198/2018 : Writ Petition filed under Article
226 of the Constitution of India seeking a writ of Mandamus
directing the respondents to pay the difference in pay due to

the anomaly in fixation of pay by considering the petitioners representation dated 01.03.2018.

WP No.31200 of 2018 : Writ Petition filed under Article 226 of the Constitution of India seeking a writ of Mandamus directing the respondents to disburse the difference in pay due to the anomaly in fixation of pay in light of the proceedings of the 1st respondent in NA.KA.NO 13948/E1/2015-2 Dated 30-8-2016.

WP No.31209 of 2018 : Writ Petition filed under Article 226 of the Constitution of India seeking a writ of mandamus directing the respondents to Disburse the difference in pay due to the anomaly in fixation of pay in light of the proceedings of the 3rd respondent in O.MU.NO.U.NI.MU(2)/13516/2018 Dated 11-5-2018.

WP No.31214 of 2018 : Writ Petition filed under Article 226 of the Constitution of India seeking a writ of Mandamus directing the respondents to Disburse the difference in pay due to the anomaly in fixation of pay in by considering the Petitioners representation dated 5-6-2018.

WP No.31219 of 2018 : Writ Petition filed under Article 226 of the Constitution of India seeking a writ of mandamus directing the respondents to Disburse the difference in pay due to the anomaly in fixation of pay in by considering the Petitioners representation dated 22-12-2015.

WP No.31223 of 2018 : Writ Petition filed under Article 226 of the Constitution of India seeking a writ of mandamus directing the respondents to Disburse the difference in pay due to the anomaly in fixation of pay in by considering the Petitioners representation dated 6-10-2015.

WP No.31228 of 2018 : Writ Petition filed under Article 226 of the Constitution of India seeking a writ of mandamus directing the respondents to Disburse the difference in pay due to the anomaly in fixation of pay in the light of proceedings of the 1st respondent in Letter NO 21841/UNI/2018-1 dated 15-5-2018.

WP No.31230 of 2018 : Writ Petition filed under Article 226 of the Constitution of India seeking a writ of mandamus directing the respondents to Disburse the difference in pay due to the anomaly in fixation of pay by considering the petitioners representation dated 17-10-2018.

WP No.31233 of 2018 : Writ Petition filed under Article 226 of the Constitution of India seeking a writ of mandamus directing the respondents to Disburse the difference in pay due to the anomaly in fixation of pay by considering the petitioners representation dated 16-8-2016.

WP No.31235 of 2018 : Writ Petition filed under Article 226 of the Constitution of India seeking a writ of mandamus directing the respondents to disburse the difference in pay due to the anomaly in fixation of pay by considering the petitioners representation dated 28-2-2018.

WP No.31238 of 2018 : Writ Petition filed under Article 226 of the Constitution of India seeking a writ of mandamus directing the respondents to disburse the difference in pay due to the anomaly in fixation of pay by considering the petitioners representation dated 27-3-2018.

WP No.31239 of 2018 : Writ Petition filed under Article 226 of the Constitution of India seeking a writ of mandamus directing the respondents to Disburse the difference in pay due to the anomaly in fixation of pay by considering the petitioners representation dated 4-7-2018.

COMMON ORDER

These writ petitions are filed seeking direction to the respondents to pay the difference in pay due to anomaly in fixation of pay by considering the petitioners' representations.

2. The petitioners have joined the Government Service initially as Assistant Inspector, Local Fund Audit Department through TNPSC. Thereafter, the petitioners have been promoted to the post of Deputy Inspector and subsequently promoted to the post of Inspector. Thereafter, the petitioners retired from the service as Assistant Director on different dates. It is the claim of the petitioners that there is anomaly in fixation of pay between the seniors and the petitioners. The petitioners state that the first respondent is the competent authority to rectify the anomaly in the fixation of pay as per the proceeding of the Government in Letter No.45113/U.Ku/2009-1, Finance Department dated 17.08.2009. However, even after several representations, the request of the petitioners have not been considered. Hence, the petitioners have filed the present writ petitions.

2. Mr.A.N.Thambidurai, learned * **Special** Government Pleader takes notice for the respondents.

3. The earlier order passed by the Government dated 31.07.2017 has been brought to the notice of this Court. Under the circumstances, the representations of the petitioners submitted on various dates, is directed to be considered by the ***Third** respondent and the proposals shall be forwarded to the

first respondent for consideration, within a period of six weeks from the date of receipt of a copy of this order and the first respondent, after receipt of the proposals from the *** concerned Respondent**, shall consider the proposals and pass final orders within a period of four weeks thereafter. The writ petitions are disposed of with the above directions. No costs.

Sd/-

Assistant Registrar(CS-IV)

*** Corrected order to be issued
as per order dated 09.01.2019
in WP.Nos.31198 of 2018 etc., batch**

12.12.2018

Sd/-

**Assistant Registrar (cs iv)
04.02.2019**

//True copy//

Sub Assistant Registrar

To

1. The Principal Secretary to Government
Finance Department, Secretariat,
Fort St.George, Chennai - 600 009.
2. The Principal Secretary
Personnel & Administrative
Reforms Department
Secretariat, Fort St.George,
Chennai-600 009.
3. The Director
Local Fund Audit Department
Nandanam, Chennai 600 035.
4. The Chief Internal Auditor
Internal Audit and Statutory
Board Audit Department
Nandanam, Chennai 600 035.

**To be Substituted to
the order already
despatched on
17.12.2018**

+1cc to Mr.R.Jayaprakash, Advocate SR.No.2679
+1cc to Government Pleader SR.No.2724

W.P.No.31198,31200, 31209, 31214, 31219
31223,31228,31230, 31233,31235,31238
and 31239 of 2018

TM(CO)
GMY(13/12/2018)
CS/05/02/2019