

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 03.12.2018

CORAM
THE HONOURABLE DR.JUSTICE S.VIMALA

W.P.Nos.31720 & 31721 of 2018

G.Shanmugaraj

... Petitioner
(in WP.31720/2018)

N.Kandhasamy

... Petitioner
(in WP.31721/2018)

Versus

- 1.The Secretary,
Department of Higher Education,
The Government of Tamilnadu,
Chennai - 09.
- 2.The Director of Higher Education,
College Road, Chennai - 06.
- 3.The Deputy Director of Higher Education,
Madurai Region,
Senai Nagar, Madurai - 20.

... Respondents
(in both WP's)

COMMON PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying for the issue of a Writ of Mandamus, directing the respondents to revise and re-fix the pay and sanction the monetary and pensionary benefits as per the light of the G.O.Ms.No.271, dated 26.08.2010.

For Petitioner : Mr.N.Stalin

For Respondents: Mr.V.Kadhirvelu,
Additional Government Pleader.

COMMON ORDER

Mr.V.Kadhirvelu, learned Additional Government Pleader takes notice on behalf of the respondents.

2. These writ petitions have been filed by the petitioners seeking to direct the respondents, to revise and re-fix their pay and sanction the monetary and pensionary benefits as per the G.O.Ms.No.271, Finance (Pay Cell) Department, dated 26.08.2010

3. The petitioners have joined the service as Laboratory Assistant at Palani Andavar Arts and Science College. They were superannuated on 31.05.2011 & 30.06.2010 respectively. It is the claim of the petitioners that at the time of their retirement, they were receiving the pay scale of Rs.5200-20200+1900 and subsequently, it was upgraded notionally in the pay scale of Rs.5200-20200+1900 from 01.01.2016 with monetary benefit from 01.03.2011. Based on the one man commission recommendation in the year 2010, the pay scale of the Laboratory Assistant in the collegiate department was revised as Rs.9300-34800+4200, which was also accepted by the Government by issuing G.O.Ms.No.271, dated 26.08.2010. Subsequent to the same, the petitioners have sent several representations, to revise and re-fix their pay and sanction the monetary and pensionary benefits, on various dates and finally they had sent a representation on 27.10.2018 on which no order been passed. Hence, the writ petitions are filed.

4. Heard the learned counsel appearing for the petitioners as well as Mr.V.Kadhirvelu, learned Additional Government Pleader appearing for the respondents and perused the materials available on records.

5. In view of the limited relief sought for, this Court is of the view that it is not necessary to dwell into the merits of the issue, but it would be suffice to direct the respondents to consider the representation filed by the petitioners on 27.10.2018 and pass orders on the same within a particular time frame.

6. In the above circumstances, the writ petitions are disposed of directing the respondents to consider the representation dated 27.10.2018, filed by the petitioners, in the light of G.O.Ms.No.271, dated 26.08.2010 and pass orders thereon, in accordance with law, within a period of eight weeks from the date of receipt of a copy of this order. No costs.

Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

kst/klt/gln

To

1.The Secretary,
Department of Higher Education,
The Government of Tamilnadu,
Chennai - 09.

2.The Director of Higher Education,
College Road, Chennai - 06.

3.The Deputy Director of Higher Education,
Madurai Region,
Senai Nagar, Madurai - 20.

+2ccs to Mr.N.Stalin, Advocate, S.R.No.83059 and 83060
+1cc to the Government Pleader, S.R.No. 82956

W.P.Nos.31720 & 31721 of 2018

RK(CO)

rrs 03/01/2019



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