



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 27.06.2018

CORAM:

THE HONOURABLE MR.JUSTICE R.SURESH KUMAR

W.P. (MD) No.13710 of 2018

M.Muthumuniyandi

... Petitioner

-Vs-

1.The Secretary to Government,
Social Welfare Department,
Secretariat,
Chennai-600 009.

2.The Director of Social Welfare,
Panagal Building,
Saidapet, Chennai-600 015.

3.The District Social Welfare Officer,
Collectorate Complex,
Virudhunagar,
Virudhunagar District-626 002.

... Respondents

Prayer: Writ Petitions filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Mandamus, directing the first respondent i.e., the Secretary to Government, Social Welfare Department, Chennai to pass appropriate orders on the petitioner's representation dated 08.05.2018 regarding refixation of his scale of pay in the Selection Grade in the cadre of Junior Assistant as 9300-34800+4200 as per annexure-I to Government letter No.63305/Pay Cell/2010-1, dated 08.11.2010 with effect from 13.03.2006 and further increments in the above scale of pay, within a specified time frame that may be fixed by this Court.

For Petitioner
For Respondents

: Mr.S.Visvalingam
: Mr.D.Muruganandham
Additional Government Pleader

ORDER

The prayer sought for herein is for a Writ of Mandamus, directing the first respondent i.e., the Secretary to Government, Social Welfare Department, Chennai to pass appropriate orders on the petitioner's representation dated 08.05.2018 regarding fixation of his scale of pay in the Selection Grade in the cadre of Junior Assistant as 9300-34800+4200 as per annexure-I to Government letter No.63305/Pay Cell/2010-1, dated 08.11.2010 with effect from 13.03.2006 and further increments in the above scale of pay, within



a specified time frame that may be fixed by this Court

2. Heard Mr.S.Visvalingam, learned counsel appearing for the petitioner and Mr.D.Muruganandham, learned Additional Government Pleader appearing for the respondents.

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3. The learned counsel appearing for the petitioner would submit that the petitioner was appointed as Junior Assistant at the Department of Social Welfare and thereafter, he was promoted and presently, he is working as Supervisor of Industrial Co-operative, Annai Sivakami Ladies Tailoring Society, Virudhunagar.

4. The learned counsel appearing for the petitioner would submit that the grievance of the petitioner is that even though the petitioner reached selection grade on 13.03.2006, notional increment instead of 9300-34800+4200 has been wrongly fixed proper increment should have been fixed as per the Government Letter No.63305/Pay Cell/2010-1, dated 08.11.2010. In order to rectify the same, the petitioner had given a representation on 08.05.2018 and if the said representation is considered on merits and an order to that effect is directed to be passed, the petitioner would be satisfied.

5. I have heard Mr.D.Muruganantham, learned Additional Government Pleader appearing for the respondents who would submit that, the said request of the petitioner by way of representation dated 08.05.2018, with regard to the proper fixation of increment, would be considered on merits and in accordance with law, within a time frame.

6. Considering the said submissions made by both sides and taking into account the limited scope of the prayer sought for in this writ petition, this Court is inclined to pass the following order:-

"that the respondents are directed to consider the representation of the petitioner, dated 08.05.2018 with regard to his grievance of fixation of proper increment and taking into account that he reached selection grade on 13.03.2006 itself and make a fixation as per the Government Letter No.63305/Pay Cell/2010-1, dated 08.11.2010 and pass order thereon, on merits and in accordance with law, within a period of six weeks from the date of receipt of a copy of this order."

7. With this direction, this writ petition is disposed of. No costs.

Sd/
Assistant Registrar (CS-II)

/True copy/



To

1.The Secretary to Government,
Social Welfare Department,
Secretariat,
Chennai-600 009.

2.The Director of Social Welfare,
Panagal Building,
Saidapet, Chennai-600 015.

3.The District Social Welfare Officer,
Collectorate Complex,
Virudhunagar,
Virudhunagar District-626 002.

+1cc to Mr.S.Visvalingam, Advocate, SR.No. 69950

+1cc to M/s.Special Government Pleader,SR.No.70223

W.P. (MD) No.13710 of 2018
27.06.2018

RMI

KK/RSK/SAR-1/27.10.2018/3P-6C