

IN THE HIGH COURT OF JUDICATURE OF MADRAS

DATED: 14.03.2019

CORAM:

THE HONOURABLE MR. JUSTICE M.S. RAMESH

WP.Nos.7365, 7368, 7370, 7374, 7378 & 7382 of 2019

T.G.Varadaraj ...Petitioner in W.P.No.7365/2019
D.Rajasekar ...Petitioner in W.P.No.7368/2019
R.Natarajan ...Petitioner in W.P.No.7370/2019
R.Selvarangam ...Petitioner in W.P.No.7374/2019
C.Munusamy ...Petitioner in W.P.No.7378/2019
A.Radhakrishnan ...Petitioner in W.P.No.7382/2019

Vs

1. The Principal Secretary to Govt.,
Highways & Minor Ports Department,
Fort St. George,
Chennai - 600009.
2. The Director General of Highways,
No 76, Sardar Patel Road,
Guindy,
Chennai.
3. The Superintending Engineer,
Department of Highways,
Steel Plant Road,
Salem.
4. The Divisional Engineer,
Department of Highways,
Krishnagiri - 635001. ...Respondents in all W.Ps

PRAYER in WP.No.7365 of 2019: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus to direct the respondent to grant the him Selection Grade and Special Grade in the post of Road Inspector I by taking into account the period of service rendered by him from the date of initial appointment on 09.07.1965 and accordingly

revise his pension and other pensionary benefits with all consequential service and monetary benefits.

PRAYER in WP.No.7368 of 2019: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus to direct the respondent to grant him Selection Grade and Special Grade in the post of Road Inspector I by taking into account the period of service rendered by him from the date of initial appointment on 25.02.1971 and accordingly revise his pension and other pensionary benefits with all consequential service and monetary benefits.

PRAYER in WP.No.7370 of 2019: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus to direct the respondent to grant him Selection Grade and Special Grade in the post of Road Inspector I by taking into account the period of service rendered by him from the date of initial appointment on 19.11.1971 and accordingly revise his pension and other pensionary benefits with all consequential service and monetary benefits.

PRAYER in WP.No.7374 of 2019: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus to direct the respondent to grant the him Selection Grade and Special Grade in the post of Road Inspector I by taking into account the period of service rendered by him from the date of initial appointment on 01.02.1971 and accordingly revise his pension and other pensionary benefits with all consequential service and monetary benefits.

PRAYER in WP.No.7378 of 2019: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus to direct the respondent to grant the him Selection Grade and Special Grade in the post of Road Inspector I by taking into account the period of service rendered by him from the date of initial appointment on 24.11.1970 and accordingly revise his pension and other pensionary benefits with all consequential service and monetary benefits.

PRAYER in WP.No.7382 of 2019: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus to direct the respondent to grant the him Selection Grade and Special Grade in the post of Road Inspector I by taking into account the period of service rendered by him from the date of initial appointment on 01.02.1971 and accordingly revise his pension and other pensionary benefits with all consequential service and monetary benefits.

For Petitioner : Ms.Swadhi Subramaniam
in all WPs

For Respondents : Mr.S.Suresh Kumar, GA
in all WPs

C O M M O N O R D E R

The grievance of the petitioners is that the services rendered by them from the date of initial appointment requires to be taken into account and consequently they must be granted with Selection Grade and Special Grade in the post of Road Inspector I, but however, the respondents have not extended them the benefits.

2. In view of the inaction on the part of the respondents herein, the petitioners have made their independent representations dated 20.12.2018 expressing their grievances and since no orders have been passed on their representations till date, these Writ Petitions have been filed.

3. It is needless to point out that whenever a representation of this nature is made to the concerned authorities, there is a duty cast on them to take a decision on the same, in one way or the other, rather than keeping the same pending indefinitely. Such an inaction or non-consideration of the representations, would amount to dereliction of the respondents' duties and thereby, this Court would be justified in invoking its powers under Article 226 of the Constitution of India.

4. In the light of the above observations, there shall be a direction to the 1st respondent to consider all the petitioners' individual representations dated 20.12.2018 respectively, on its own merits and pass appropriate orders within a period of 8 weeks from the date of receipt of copy of this order.

5. Accordingly, the Writ Petitions stand ordered. No Costs.

Sd/-

Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

jrs/hvk

To

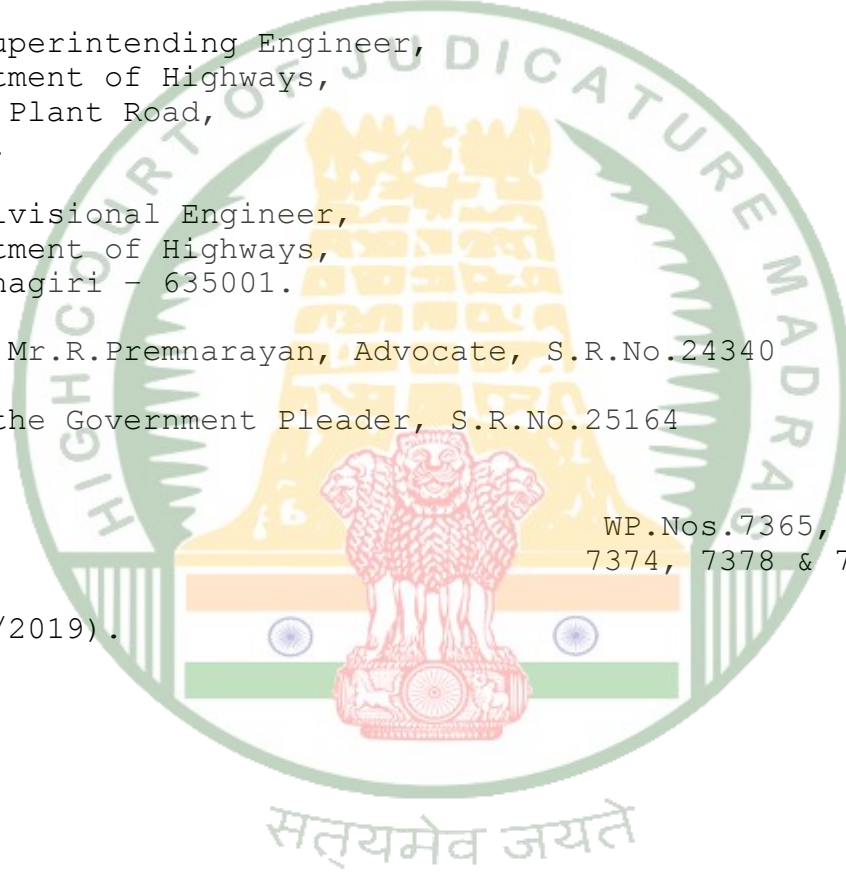
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+6 ccs to Mr.R.Premnarayan, Advocate, S.R.No.24340

+1 cc to the Government Pleader, S.R.No.25164

SSV(CO)
SSM(22/04/2019).

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