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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06.12.2019

CORAM:

THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR

W.P.No.5027 of 2013

1. E.Anandaraman
2. C.Selvaraj

..Petitioners

Vs.

1. The Managing Director
Tamil Nadu Water Supply and
Drainage Board,
31, Kamarajar Salai,
Chepauk,
Chennai-600 005.
2. The Executive Engineer
Tamil Nadu Water Supply and
Drainage Board
R.W.S Division
Villupuram.
3. The Superintending Engineer
Tamil Nadu Water Supply and
Drainage Board
Cuddalore and Villupuram Circle
Cuddalore.

..Respondents

Prayer:- This Writ Petition is filed under Article 226 of Constitution of India, praying to issue a Writ of Mandamus, directing the first respondent to permit the petitioners to move Special Grade on completion of 20 years of service on 24.06.1995 and 29.11.94 respectively and Super Grade on completion of 30 years of service on 24.06.2005 and 29.11.2004 respectively in the respective Scale of Pay for the post of Office Assistant duly permitting to draw arrears of pay allowances and other attendant benefits extended to all other workmen on merits within the time frame as may be fixed by this Court.

For Petitioners : Mr.G.P.Arivuchudar

For Respondent : Mr.Eraskine Leo
For R1 to R3



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ORDER

This Writ Petition has been filed for issuance of a Writ of Mandamus, directing the first respondent to permit the petitioners to move Special Grade on completion of 20 years of service on 24.06.1995 and 29.11.94 respectively and Super Grade on completion of 30 years of service on 24.06.2005 and 29.11.2004 respectively in the respective Scale of Pay for the post of Office Assistant duly permitting to draw arrears of pay allowances and other attendant benefits extended to all other workmen on merits within the time frame as may be fixed by this Court.

2. Heard the learned counsel appearing for the petitioners and the learned Standing Counsel appearing for the respondent Board.

3. The Writ Petitioners have made a representation separately on 15.11.2012 to the second respondent, namely, the Executive Officer, Tamil Nadu Water Supply and Drainage Board, R.W.S Division, Villupuram to award Special Grade and Super Grade on completion of 20 years and 30 years of service respectively duly permitting to draw arrears retrospectively with effect from 01.08.1996 onwards as has been done to all other workmen as per the 12(3) Settlement dated 08.08.1996 and the judgement dated 25.06.2012 of the Hon'ble Madras High Court Bench at Madurai. But, the petitioners' representation was not considered till date. Hence, the present Writ Petition has been filed by the petitioners.

4. No counter has been filed by the respondent Board so far. Further, it is an admitted fact that the respondent Board has not chosen to pass orders on the representation of the petitioner.

5. The learned counsel for the petitioners would submit that once the Writ Petitioners have completed their service of 20 years and 30 years, the respondent Board has to pass an order granting Special Grade and Super Grade on completion of 20 years and 30 years service. Therefore, he prays to consider the petitioners' representation according to rules.

6. Considering the facts and circumstances of the case and without going into the merits of the case, this Court is inclined to direct the second respondent to consider the petitioners' representation dated 15.11.2012 on merits and in accordance with law, as expeditiously as possible more preferably, within a period of six weeks from the date of receipt of a copy of this order.



7. With the above direction, this Writ Petition stands disposed of. No costs.

Sd/-
Assistant Registrar (C.S.VIII)

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/True Copy/

Sub Assistant Registrar

To

1. The Managing Director
Tamil Nadu Water Supply and
Drainage Board,
31, Kamarajar Salai,
Chepauk,
Chennai-600 005.
2. The Executive Engineer
Tamil Nadu Water Supply and
Drainage Board
R.W.S Division
Villupuram.
3. The Superintending Engineer
Tamil Nadu Water Supply and
Drainage Board
Cuddalore and Villupuram Circle
Cuddalore.

+1 cc to M/s.Law Square, Advocate Sr.No.102302

AKM/27.01.2020/3P-5C /

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