

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.10.2019

CORAM

THE HON'BLE MR.JUSTICE M.DHANDAPANI

W.P.No.28765 of 2019

K.Dakshinamoorthy

... Petitioner

Vs.

1.Government of Tamil Nadu,
rep. by the Principal Secretary to Government,
Highways & Minor Ports Department,
Secretary, Chennai-600 009

2.The Divisional Engineer,
Highways Department (Construction & Maintenance),
Cuddalore 607 001

3.The Accountant General (A&E),
Chennai-600 018

... Respondents

Prayer:- Writ petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondents to pass appropriate orders for granting Selection Grade Scale of Pay in the Post of Driver, by way of implementation of the order dated 21.06.2011 in Writ Petition No.11669/2011 and pass orders thereon and also to grant consequential benefits, including arrears of pay, revised pensionary benefits and disburse the same, all within a limited time frame.

For Petitioner : Mr.M.Ravi

For Respondents: Mrs.R.Janaki,
Additional Government Pleader

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O R D E R

By consent, this writ petition is taken up for final disposal at the admission stage itself.

2.The case of the petitioner is that the Government issued G.O.Ms.No.162 Finance (PC) Department dated 13.04.1998 granting Selection / Special Grade Scale of Pay to the posts which have no promotional avenues as indicated in schedule II to the G.O. With effect from 01.01.1996. In order to avail such benefit, the petitioner filed W.P.No.11569 of 2011 and this Court by order dated 21.06.2011 directed the respondents to grant such benefit. Thereafter the petitioner made

representation dated 24.08.2011 and thereafter the petitioner was informed that the issue was pending. After disposal of the SLP No.(C) 35969 of 2009, the petitioner in order to avail such benefit made a representation dated 02.01.2019 to the Government, but the same has not been considered so far. Hence, the petitioner has filed the present petition.

3.Heard both sides.

4.The learned counsel for the petitioner submitted that it would suffice, if a direction is issued to the respondents to consider the representation of the petitioner dated 02.01.2019 and pass orders, within a stipulated time fixed by this Court.

5.Though the petitioner has sought for a larger relief, this Court without going into the merits of the case, directs the respondents to consider the petitioner's representation dated 02.01.2019 and pass orders on merits and in accordance with law within a period of twelve weeks from the date of receipt of copy of this order.

6.With the above direction, this writ petition stands disposed of. No costs.

Sd/-

Assistant Registrar (CS-V)

//True Copy//

Sub Assistant Registrar

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To

1.The Principal Secretary to Government,
Government of Tamil Nadu,
Highways & Minor Ports Department,
Secretary, Chennai-600 009

2.The Divisional Engineer,
Highways Department (Construction & Maintenance),
Cuddalore 607 001

3.The Accountant General (A&E),
Chennai-600 018

+1cc to Mr.M.Ravi, Advocate, S.R.No. 87837

+1cc to the Government Pleader, S.R.No. 87331

W.P.No.28765 of 2019

SVI (CO)

GN (20/11/2019)

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