

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :26.09.2019

CORAM

THE HON'BLE Mr.JUSTICE M.DHANDAPANI
W.P.No.28371 of 2019

A.Karunanadhi

... Petitioner

Versus

The Director,
Fire, Rescue Services, Tamilnadu,
No.17, Rukmani Lakshmipathy Road,
Egmore, Chennai-8.

... Respondent

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus or such other form of writ, order or direction in the nature of a writ directing the respondent to consider the representation of the Petitioner dated 20.08.2018 and 01.04.2019 for re-fixation of his salary under the promotional Post of Station Fire Officer for the period of 01.05.2018 to 30.06.2018 from the Basic Pay of Rs.39,800/- to Rs.44,800/-.

For Petitioner : Mr.N.Sankar Ganesh

For Respondent : Mrs.R.Janaki

Additional Government Pleader

O R D E R

This Writ Petition is filed by the petitioner seeking to direct the respondent to consider the representation of the Petitioner dated 20.08.2018 and 01.04.2019 for re-fixation of his salary under the promotional Post of Station Fire Officer for the period of 01.05.2018 to 30.06.2018 from the Basic Pay of Rs.39,800/- to Rs.44,800/-.

2. The case of the petitioner is that the petitioner joined as a Fireman in the respondent's department on 14.11.1988 and promoted as Station Fire Officer on 01.05.2018 by the Respondent by his proceedings in Na.Ka.No.21478/A1/2017 dated 30.04.2017. The petitioner was appointed as Station Fire Officer at Thirumuttam Fire Station, Kadalur District on 01.05.2018 and his pay scale

was fixed as Rs.39,800/- as Basic Pay. However, the respondent ought to have fixed the pay band of Rs.44,800/- while he joined the service as Station Fire Officer on 01.05.2018.

3. A similarly placed person one R.Vaikunda Perumal was fixed with the revised Basic Pay as Rs.44,800/- when he was promoted as Station Fire Officer on 01.03.2018. Hence, the petitioner has submitted his representation to the respondent on 20.08.2018 to re-fix his Basic Pay from Rs.39,800/- to Rs.44,800/-. It is the contention of the petitioner that the respondent has not taken any action. Therefore, on 03.01.2019, he again made a representation to the respondent. Again he sent a reminder representation through Speed Post on 01.04.2019. However, till date, the representation was not considered. Hence the present writ petition.

4. The learned counsel for the petitioner would submit that it would be suffice to issue direction to the respondent to dispose of the representation in accordance with law.

5. Considering the facts and circumstances of the case and the limited request made by the learned counsel for the petitioner, this Court is inclined to issue direction to the respondent to dispose of the representation, if not disposed already within a period of twelve (12) weeks from the date of receipt of a copy of this order. With the above direction, the Writ Petition is disposed of. No costs.

Sd/-
Assistant Registrar(CS)

//True Copy//

Sub Assistant Registrar

bkn
To

The Director,
Fire, Rescue Services, Tamilnadu,
No.17, Rukmani Lakshmipathy Road,
Egmore, Chennai-8.

+1cc to Mr.N.Sankar Ganesh , Advocate SR.No. 82506
W.P.No.28371 of 2019
A.SK(21/11/2019)