

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.04.2019

CORAM :

THE HONOURABLE DR. JUSTICE ANITA SUMANTH

W.P. No.34237 of 2017

1.K.Rangasamy
2.K.Ramachandran
3.R.Arunachalam
4.N.A.Krishnamoorthy
5.V.Devarajan
6.N.Deivasigamani
7.K.Sellamuthu
8.K.Veeraragavan ... Petitioners

Vs.

1.The Principal Secretary to Government,
Public Works (C2) Department,
Fort St. George,
Chennai - 600 009.
2.The Chief Engineer General,
Public Works Department,
Chepauk, Chennai - 5.
3.The Accountant General (A&E),
Tamil Nadu,
Teynampet, Chennai - 18. ... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus directing the 2nd respondent to send revised refixation of pay scales proposal and the 3rd respondent to sanction the refixation statement and revise the pay scales with all benefits by considering the petitioners' representations dated 20.09.2017 and 27.11.2017 within a reasonable time as prescribed by this Court.

For Petitioners : Mr.R.S.Anandan

For Respondents : Mr.K.S.Suresh
Government Advocate for R1 & R2

: Mr.S.Balaji for R3

O R D E R

The limited prayer made before this Court is for issuance of a writ of mandamus directing the 2nd respondent to send a revised proposal and the 3rd respondent to sanction re-fixation statement and revised pay scale of the petitioners with all attendant benefits.

2.Heard Mr.R.S.Anandan, learned counsel for the petitioners and Mr.K.S.Suresh, learned Government Advocate, appearing for the 1st and 2nd respondents and Mr.S.Balaji, learned counsel for the 3rd respondent.

3.The petitioners have joined as Masistry in the Public Works Department (R2). Their services were provincialized as Work Inspectors Grade-II on 24.11.1970. They have sought for re-fixation of pay scale, conferment of arrears of pay and revision of pensionary benefits based on their date of joining service. According to them, fixation of pay scale has not been done in a proper or appropriate manner. This has been brought to the notice of the 2nd respondent vide representation dated 20.09.2017. The said representation has been received on 22.09.2017 as seen from the website delivery acknowledgment. An additional representation has also been submitted by the petitioners on 27.11.2017. However, there has been no response to the same, constraining the petitioner to approach this Court.

4.Respondents have filed counter affidavit advertng to the merits of the matter and supporting the computation of pay scale as effected by the authorities.

5.Seeing as the representations of the petitioners are pending disposal before the respondents since 2017, it would suffice that a direction is issued to the 2nd respondent to pass speaking orders on the same within a period of six weeks from date of receipt of a copy of this order. Let notice be issued by the 2nd respondent in response to which, the petitioners will appear with a copy of the representations filed, as well as with all supporting materials and let orders be passed in accordance with law, prevailing rules, instructions and circulars, within a period of two weeks from conclusion of personal hearing.

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

Sd/-

Assistant Registrar(CS)

//True Copy//

<https://hcservices.ecourts.gov.in/hcservices/>

Sub Assistant Registrar

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To

1.The Principal Secretary to Government,
Public Works (C2) Department,
Fort St. George,
Chennai - 600 009.

2.The Chief Engineer General,
Public Works Department,
Chepauk, Chennai - 5.

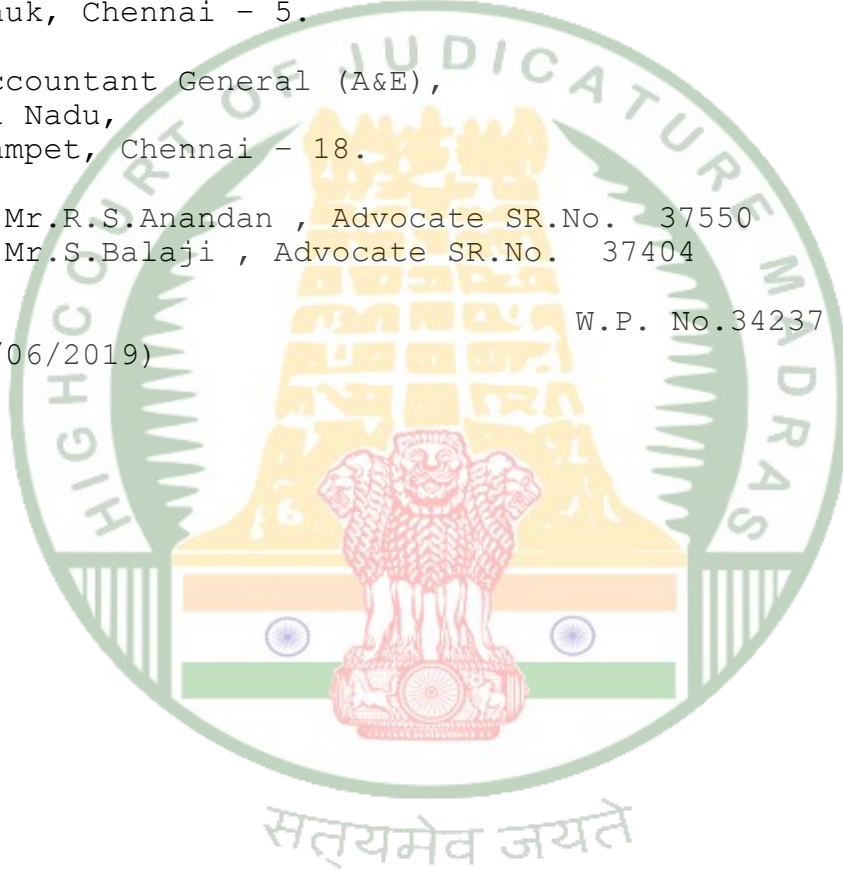
3.The Accountant General (A&E),
Tamil Nadu,
Teynampet, Chennai - 18.

+1cc to Mr.R.S.Anandan , Advocate SR.No. 37550

+1cc to Mr.S.Balaji , Advocate SR.No. 37404

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A.SK(07/06/2019)



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