

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.11.2019

CORAM

THE HON'BLE MR.JUSTICE M.DHANDAPANI

W.P.No.33342 of 2019

P.Rajeswari

... Petitioner

Vs.

1.The Commissioner,
Hindu Religious and Charitable Endowment
Department, Uthamar Gandhi Salai,
Nungambakkam, Chennai 600 034

2.The Joint Commissioner/ Executive Officer,
Hindu Religious and Charitable Endowment
Department,
Headquarters-Suchindrum 629 704,
Kanyakumari District

3.The Deputy Commissioner,
Hindu Religious and Charitable Endowment
Department,
Incorporated and Unincorporated
Devasthanam,
Suchindrum 629 704,
Kanyakumari District

... Respondents

Prayer:- Writ petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the first respondent herein to fix the salary of Rs.700-3000-GP 400 to Rs.4100-10000-GP 1300 in the post of Special Security Guard in pursuant to the representation dated 03.09.2019 and pay the petitioner the arrears of salary from the date of my appointment namely from 20.12.2016 till date.

For Petitioner : Mr.A.Damodaran

For Respondents : Mr.M.Maharaja,
Special Government Pleader (HR&CE)

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 petitioner's husband was appointed as Special Security Guard on 21.03.1996. Thereafter he died in harness in the year 2014 leaving behind the petitioner and his two sons. Thereafter the petitioner made representation on 09.09.2014 to appoint the petitioner on compassionate ground and the second respondent requested the first petitioner for the appointment of the petitioner on compassionate ground on the death of the petitioner's husband on 14.05.2014 as a Special Security Guard. Thereafter the petitioner was appointed on 20.12.2016 in the second respondent office and in the year 2018 the petitioner was made permanent. Thereafter the petitioner made representation dated 03.09.2019 to the first respondent to revise the pay scale which was provided to the petitioner's husband, but till date the same has not been considered. Hence, the petitioner has filed the present petition.

3.Heard both sides.

4.The learned counsel for the petitioner submitted that in a similar issue, already order was passed by this Court in W.P.No.13922 of 2015. Therefore the petitioner is also entitled to avail the same benefit. However, the petitioner may be permitted to produce all the records before the respondents for consideration.

5.Considering the facts and circumstances of the case, this Court directs the first respondent to consider the petitioner's representation dated 03.09.2019 on receipt of the records from the petitioner 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

//True Copy//

Sub Assistant Registrar

lok

To

1.The Commissioner,
Hindu Religious and Charitable Endowment
Department, Uthamar Gandhi Salai,
Nungambakkam, Chennai 600 034

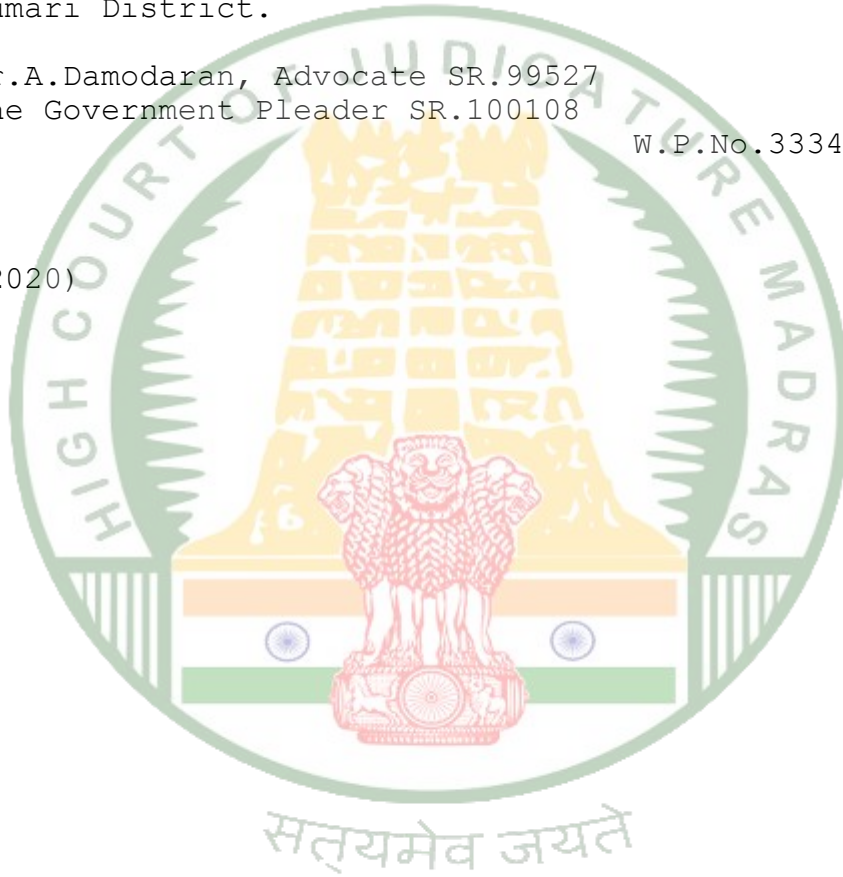
2.The Joint Commissioner/ Executive Officer,
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Headquarters-Suchindrum 629 704,
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3.The Deputy Commissioner,
Hindu Religious and Charitable Endowment
Department,
Incorporated and Unincorporated
Devasthanam,
Suchindrum 629 704,
Kanyakumari District.

+1cc to Mr.A.Damodaran, Advocate SR.99527
+1cc to the Government Pleader SR.100108

W.P.No.33342 of 2019

KJ(CO)
CB(06/01/2020)



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