

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

DATED: 28.02.2019

CORAM

WEB COPY

THE HONOURABLE MR.JUSTICE R.MAHADEVAN**W.P(MD)No.6524 of 2018**

M.Ashokan

... Petitioner

Vs.

- 1.The District Collector,
Theni District.
- 2.The Block Development Officer,
Bodi Nayakkanoor Panchayat Union,
Theni District.
- 3.The Panchayat Commissioner,
Bodi Nayakkanoor Panchayat Union,
Theni District.
- 4.The Block Development Officer,
Theni Panchayat Union,
Theni District.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a writ of Mandamus, directing the respondents herein to re-fix the pay scale of the petitioner in view of G.O.Ms.No.325, dated 22.07.2013 with consequential monetary benefits.

For Petitioner	:	M/s.Lakshmi Gopinathan for M/s.Polax Legal Solutions
For R - 1	:	Mr.S.Angappan, Government Advocate.
For RR 2 & 4	:	Mr.A.Thiyagarajan
For R - 3	:	No appearance

ORDER

This writ petition has been filed seeking issuance of a writ of Mandamus, to direct the respondents to re-fix the pay scale of the petitioner in view of G.O.Ms.No.325, dated 22.07.2013 with consequential monetary benefits.

2. Heard the learned counsel appearing for the petitioner, the learned Government Advocate appearing for the first respondent and the learned counsel appearing for the respondents 2 and 4.



3.The case of the petitioner is that he was appointed as a Road Inspector Grade - II in Theni Panchayat Union on 19.01.2007 and at the time of regularization, his Grade Pay was fixed as Rs.2,000/- and till date, he has been receiving the same scale of pay. The grievance of the petitioner is that the Government has issued G.O.Ms.No.325, Finance (Pay Cell) Department, dated 22.07.2013, to revise the scale of pay for the Grade - II Trade post with effect from 01.01.2006. Hence, he sent a representation to the respondents on 25.11.2017 to re-fix his pay scale in the light of G.O.Ms.No.325, dated 22.07.2013 with consequential monetary benefits. Since the same has not been considered so far, the petitioner has filed the present Writ Petition.

4.The learned Government Advocate appearing for the first respondent and the learned counsel appearing for the respondents 2 and 4 submitted that the representation of the petitioner would be considered on the basis of G.O.Ms.No.325, dated 22.07.2013.

5.In view of the above, this Court, without going into the merits of the case, directs the respondents to consider the representation of the petitioner, dated 25.11.2017 in the light of G.O.Ms.No.325, dated 22.07.2013 and pass appropriate orders on merits and in accordance with law, after affording due opportunity of hearing to the petitioner. Such an exercise shall be completed, within a period of eight weeks from the date of receipt of a copy of this order.

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

Sd/-

Assistant Registrar (cs-III)

// True Copy //

Sub Assistant Registrar(CS)

To

- 1.The District Collector,
Theni District.
- 2.The Block Development Officer,
Bodi Nayakkanoor Panchayat Union,
Theni District.
- 3.The Panchayat Commissioner,
<https://hcservices.ecourts.gov.in/hcservices/>
Bodi Nayakkanoor Panchayat Union,
Theni District.



4.The Block Development Officer,
Theni Panchayat Union,
Theni District.

+1cc to Mr.M/s.Polax Legal Solutions,Advocate, SR.No.50585

W.P (MD) No.6524 of 2018
28.02.2019

SP/25.04.2019/3P/6C