



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 28.02.2019

CORAM

**THE HONOURABLE MR. JUSTICE R. MAHADEVAN**

W.P(MD) No.4718 of 2019

WEB COPY

- 1.S.Kalimuthu
- 2.M.Habeeba Begum
- 3.N.Gnanakumari
- 4.N.Parameswari
- 5.R.Meera
- 6.S.Minor
- 7.R.Maheswari
- 8.S.Sathiya Bama
- 9.S.P.N.Leelavathy
- 10.A.Ayyanar
- 11.A.Murugan

... Petitioners

vs.

1. State of Tamil Nadu  
rep. by its Principal Secretary,  
Department of Backward Class,  
Most Backward Class & Minorities Welfare,  
Secretariat, Fort St. George,  
Chennai - 600 009.
2. The Commissioner of Backward Class Welfare,  
Backward Class Welfare Department,  
Ezhilagam,  
Chepauk, Chennai - 600 005.
3. The Principal Accountant General (A & E),  
O/o.Principal Accountant General (A & E),  
361, Anna Salai,  
Chennai - 600 018.
4. The District Backward Class,  
Most Backward Class and Minorities Welfare Officer,  
The District Backward Class Welfare Office,  
Collectorate,  
Virudhunagar District.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a writ of mandamus directing the Respondents to refix the Salary and Pension of the Petitioners by way of granting the scale of pay of Rs.15600-39100+5400 GP with effect from 01.01.2006 notionally and monetary benefits with effect from 01.04.2013 and with all consequential benefits within the time period stipulated by this Court.



For Petitioners : Mr.T.Lajapathi Roy  
For R1, R2 & R4 : Mr.C.M.Mari Chelliah Prabhu  
Additional Government Pleader  
For R3 : Mr.P.Gunasekaran

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O R D E R

This writ petition has been filed seeking a direction to the respondents to refix the salary and pension of the petitioners by way of granting the scale of pay with effect from 01.01.2006 notionally and monetary benefits with effect from 01.04.2013 with all consequential benefits.

2.Heard the learned counsel appearing for the petitioners; the learned Additional Government Pleader for the respondents 1, 2 and 4 and the learned counsel for the third respondent. By consent, the writ petition itself is taken up for final disposal at the stage of admission.

3.The learned counsel appearing for the petitioners submitted that as per the Government Order in G.O.Ms.No.255 Finance (Pay Cell) Department dated 22.07.2013, the petitioners 2 to 11 are entitled to selection grade - grade pay/special grade pay, but without adverting to the same, grade pay is being fixed wrongly. Seeking such benefits, the petitioners made a representation dated 31.01.2019 to the respondents. But the same has not been considered so far. Hence, the petitioners are before this Court with the abovesaid prayer.

4.The learned Additional Government Pleader appearing for the respondents 1, 2 and 4 and the learned counsel for the third respondent submitted that the petitioners' representation will be considered on merits.

5.In view of the above submission, this Court, without going into the merits of the case, directs the first respondent to consider the petitioners' representation dated 31.01.2019 and pass appropriate orders on merits and in accordance with law, within a period of eight weeks from the date of receipt of a copy of this order, after due opportunity of hearing to the petitioners.

6.The writ petition is disposed of with the above direction.  
No costs.

sd/  
Assistant Registrar(writs)

/True Copy/

Sub Assistant Registrar



To

1. The Principal Secretary,  
State of Tamil Nadu,  
Department of Backward Class,  
Most Backward Class & Minorities Welfare,  
Secretariat, Fort St. George,  
Chennai - 600 009.
2. The Commissioner of Backward Class Welfare,  
Backward Class Welfare Department,  
Ezhilagam,  
Chepauk, Chennai - 600 005.
3. The District Backward Class,  
Most Backward Class and Minorities Welfare Officer,  
The District Backward Class Welfare Office,  
Collectorate,  
Virudhunagar District.
4. The Principal Accountant General (A & E),  
O/o.Principal Accountant General (A & E),  
361, Anna Salai,  
Chennai - 600 018.

+1 CC to Mr.P.GUNASEKARAN, Advocate ( SR-51133[F] dated 01/03/2019 )  
+1 CC to M/s.T.LAJAPATHI ROY, Advocate ( SR-51217[F] dated  
04/03/2019 )

W.P(MD) No.4718 of 2019  
28.02.2019

mj

MK (19.03.2019) 3P 7C