

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

DATED: 01.04.2019

CORAM

THE HONOURABLE MR.JUSTICE R.MAHADEVAN**W.P (MD) No.7602 of 2019**

- 1.P.Arikrishnan
- 2.M.Udhaya Suriyan
- 3.C.Subramani
- 4.C.Pandi
- 5.S.Vijayakumar
- 6.A.Ilankumaran
- 7.K.Bomiappajeyakanthan
- 8.S.Leo Marchellina
- 9.P.Shanmugavel
- 10.S.Sahayaraj
- 11.M.Velmurugan
- 12.N.Vadivel
- 13.K.Velmurugan
- 14.R.Thirupathi
- 15.C.Rajasekar
- 16.P.Parthiban
- 17.P.Krishnanmoorthi

... Petitioners

Vs.

- 1.The Director,
Tamil Nadu Municipal Administration,
Chepauk, Chennai.

- 2.The Commissioner,
Kodaikanal Municipality,
Kodaikanal, Dindigul 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 to disburse the yearly increments and earn leave surrenders from 2017, dearness allowance from January 2018 and to implement the 7th pay commission and disburse the benefits including the arrears of the 7th pay commission with effect from 01.10.2017 by considering the representation of the petitioners dated 30.06.2018 within the time frame fixed by this Court.

For Petitioners : Mr.S.C.Herold Singh

For R - 1 : Mr.V.Anand,
Government Advocate.

For R - 2 : Mr.T.S.Mohamed Mohideen

**ORDER**

This writ petition has been filed seeking issuance of a writ of Mandamus, to direct the respondents to disburse the yearly increments and earn leave surrenders from 2017, Dearness Allowance from January 2018 and to pay the benefits including arrears of 7th pay commission with effect from 01.10.2017 by considering the representation of the petitioners, dated 30.06.2018 within the time frame fixed by this Court.

2. Heard Mr.S.C.Herold Singh, learned counsel appearing for the petitioners and Mr.V.Anand, learned Government Advocate, who takes notice for the first respondent and Mr.T.S.Mohamed Mohideen, learned counsel, who takes notice for the second respondent. By consent, the Writ Petition is taken up for final disposal at the admission stage itself.

3.The case of the petitioners is that they were appointed as Road Gang Mazdoors in the second respondent Municipality. Their grievance is that they have not been given any benefits viz., yearly increments, earn leave surrender and Dearness Allowance and also the seventh pay commission's benefits. In this regard, the petitioners sent representation, dated 30.06.2018 to the respondents. Since the same have not been considered so far, the petitioners have filed the present Writ Petition.

4.The learned Government Advocate appearing for the first respondent and the learned counsel appearing for the second respondent submitted that the representation of the petitioners would be considered on merits.

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 30.06.2018 seeking to disburse yearly increments and earn leave surrenders etc., and pass appropriate orders on merits and in accordance with law, after affording due opportunity of hearing to the petitioners, 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 (WRITS)

// True Copy //

Sub Assistant Registrar(CS)



1.The Director,
Tamil Nadu Municipal Administration,
Chepauk, Chennai.

2.The Commissioner,
Kodaikanal Municipality,
Kodaikanal, Dindigul District.

1CC TO MR.S.C. HEROLD SINGH, ADVOCATE SR 58055
1CC TO MR.T.S.MOHAMED MOHIDEEN, ADVOCATE SR 58283
1CC TO THE SPL GOVT PLEADER SR 58599

KK
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