



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Special Original Jurisdiction)

Friday, the Twenty Seventh day of September Two Thousand Nineteen

WEB COPY

PRESENT

The Hon`ble Mr.Justice D.KRISHNAKUMAR

WP (MD) No.14249 of 2019

C.ADAIKKAN,

... PETITIONER

Vs

1 THE PRINCIPAL SECRETARY TO GOVERNMENT ,
FINANCE (PC) DEPARTMENT,
FORT.ST.GEORGE, SECRETARIAT,
CHENNAI-9

2 THE SECRETARY TO GOVERNMENT
PUBLIC WORK DEPARTMENT,
FORT.ST.GEORGE, CHENNAI-9

3 THE ENGINEER - IN - CHIEF,
PUBLIC WORK DEPARTMENT,
CHEPAUK, CHENNAI-5

4 THE OFFICE OF THE ACCOUNTANT GENERAL,
(ACCOUNTANTS & ENTITLEMENTS),
TAMILNADU, NO.361, ANNASALAI,
TEYNAMPET, CHENNAI-18

5 THE EXECUTIVE ENGINEER,
PUBLIC WORK DEPARTMENT (W&O),
PERIYAR MAIN CANAL DIVISION,
MELUR, MADURAI DISTRICT.

... RESPONDENTS

Petition praying that in the circumstances stated therein and in the affidavit filed therewith the High Court will be pleased to issue a Writ of Mandamus directing the respondents to revise and re-fix petitioner's pay scale notionally as Rs.9300-34,800+4200 with effect from 01/08/10 and pay the arrears together with the interest of 9% per annum and pay the revised pension regularly without delay.

ORDER : This petition coming on for orders upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of Mr.D.SELVANAYAGAM, Advocate for the petitioner and of MR.A.MUTHUKAURPPAN, Additional Government Pleader for R1 to R3 and R5 and MR.P.GUNASEKARAN, Standing Counsel for R4, the court made the following order:-



The learned counsel appearing for the petitioner submitted before this Court that vide letter dated 04.03.2019, a communication was sent to the Joint Director, Directorate of Pension, from the O/o. the Principal Accountant General (Accounts and Entitlements) Tamil Nadu, wherein it has been informed that the reminder letter has been issued to the Government seeking clarification regarding higher Grade Pay in respect of Skilled Assistant Grade II, Vide this office letter No.P30/1-74/ 17-18/47643 dated 10.08.2017. In response to this letter, Government has issued an interim reply vide Letter. No. 33044/C2/2013-15, dated 21.09.2017, wherein it has been stated that the matter is still under consideration and only on receipt of the reply from the Government, further action will be taken. He would further submit that the matter is still pending for consideration, but, so far, no decision has been taken by the Government. He further contended that though this Court has passed an order in similar type of cases directing the Government to take a decision and to communicate the same to the authority concerned, but, so far, the same has not been considered.

2. Mr. A. Muthukaruppan, learned Additional Government Pleader takes notice for R1 to R3 and R5 and Mr. P. Gunasekaran learned Standing Counsel takes notice for R4.

3. The learned Additional Government Pleader appearing for respondents 1 to 3 is directed to get instructions from the Government and file a status report with regard to higher Grade Pay in respect of Skilled Assistant Grade II.

4. Post the matter on 10.07.2019.

sd/-
27/09/2019

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

1 THE PRINCIPAL SECRETARY TO GOVERNMENT ,
FINANCE (PC) DEPARTMENT,
FORT.ST.GEORGE, SECRETARIAT,
CHENNAI-9

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+1 CC to M/s.D.SELVANAYAGAM, Advocate (SR-10660[I] dated 28/06/2019
)

ORDER
IN
WP(MD) No.14249 of 2019
Date :27/09/2019

trp
AE/PN/SAR-III (02.07.2019) 3P 7C