



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 16.07.2019

CORAM:

THE HONOURABLE MR.JUSTICE **D. KRISHNAKUMAR**

W.P (MD) No.14665 of 2019

K. Palanichamy

... Petitioner

Vs.

1.The Government of Tamil Nadu,
rep. by Secretary to Government,
Transport Department,
St. George Fort,
Chennai -9.

2.The Director,
Tamil Nadu Motor Vehicles Maintenance Department,
Velachery,
Chennai - 42.

3.The Zonal Deputy Director,
Tamil Nadu Motor Vehicles Maintenance Department,
Trichy.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus directing the 2nd respondent to comply the 3rd respondent's proposal in Na.Ka.No.A1/1732 / 2018 dated 03.10.2018 as per the order passed by this Court in WP(MD).No.6389 of 2012, dated 21.02.2018.

For Petitioner : Mr.A. Rajaram

For Respondents : Mr. Aayiram K. Selvakumar
Additional Government Pleader

ORDER

This writ petition is filed seeking to direct the 2nd respondent to comply the 3rd respondent's proposal in Na.Ka.No. A1 /1732 / 2018, dated 03.10.2018, as per the order passed by this Court in WP(MD).No.6389 of 2012, dated 21.02.2018, within a time frame to be fixed by this Court.

2. The grievance of the petitioner is that the proposal sent by the 3rd respondent, dated 03.10.2018 in Na.Ka.No.A1/1732/2018, to the 2nd respondent, by recommending to pay a Special Pay to him, pursuant to the order passed by this Court,

dated 21.02.2018 in WP(MD).No.6389 of 2019 has not been considered so far by the 2nd respondent. Therefore, he has filed the present Writ Petition before this Court for the above said relief.

3. The learned Additional Government Pleader appearing for the respondents would submit that the first respondent is competent authority to pass an order based on the proposal submitted by the respondents 3 and 4. He would further submit that the first respondent would consider the claim of the petitioner in the light of the proposal sent by the third respondent within the specified time to be fixed by this Court.

4. Having regard to the limited scope of the prayer made by the petitioner and considering the submissions made on either side, this Court, without expressing any opinion on the merits of the petitioner's case, directs the respondents 1 and 2 to consider the proposal sent by the third respondent, dated 03.10.2018, on merits and in accordance with law and pass appropriate orders, within a period of twelve weeks from the date of receipt of a copy of this order, after affording due opportunity of hearing to the petitioner.

5. With the above direction, the writ petition is disposed of. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar(AS)

/TRUE COPY/

Sub Assistant Registrar

To

1.The Secretary to Government,
Transport Department,
St. George Fort, Chennai -9.

2.The Director,
Tamil Nadu Motor Vehicles Maintenance Department,
Velachery, Chennai - 42.

3.The Zonal Deputy Director,
Tamil Nadu Motor Vehicles Maintenance Department,
Trichy.

+1 CC to M/s.A.RAJARAM, Advocate (SR-75610[F] dated 17/07/2019)
+1 CC to M/s.SPL GP (SR-75681[F] dated 17/07/2019)

W.P(MD)No.14665 of 2019
16.07.2019