



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 17.07.2019
CORAM

THE HONOURABLE MR. JUSTICE S.M. SUBRAMANIAM

WEB COPY

W.P[MD]No.14537 of 2014

K.Murugesan

... Petitioner

Vs.

1.The Chief Engineer (General),
Highways and Rural Works Department,
Chepauk,
Chennai - 600 005.

2.The Superintending Engineer,
Highways,
Alagarkoil Road,
Madurai - 625 002.

3.The Divisional Engineer,
Highways,
Trichy Road,
Dindigul - 7.

4.The Assistant Divisional Engineer,
Highways,
Batlagundu,
Nilakkottai Taluk,
Dindigul District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the respondents to consider the representation dated 04.09.2013 and 23.12.2013 of the petitioner and re-fix the pay of the petitioner in the post of Ordinary Grade T.B. Watchman in the scale of pay of Rs.5200-20200 + G.P.1900 with effect from 01.01.2006 as per G.O.Ms.No.338 Finance (Pay Cell) Department dated 26.08.2010 and in the Selection Grade post of T.B. Watchman in the Scale of pay of Rs.5200-20200 + Grade Pay Rs.2600/- with effect from 19.05.2009 as per Letter Rc.No.45529/F.3/2010-1 dated 03.10.2012 of the Commissioner of Municipal Administration, Chennai on par with the T.B. Watchman who are working in the Department of Municipal Administration Department and disburse the arrears of pay and allowances within a time limit to be fixed by this Court.



For Petitioner

: Mr.A.Thirumurthy

For Respondents

: Mr.K.Mu.Muthu

Additional Government Pleader

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O R D E R

The relief sought for in the present writ petition is to direction respondents to consider the representation dated 04.09.2013 and 23.12.2013 of the petitioner regarding refixation of pay of the petitioner in the post of Ordinary Grade T.B. Watchman with reference to the Government Orders in force.

2.The Writ Petitioner was appointed as Traveller's Bungalow Watchman on NMR basis and subsequently his services were regularised and now the writ petitioner is working as permanent employee. However, the scale of pay as applicable with reference to the Government Orders are not fixed in favour of the writ petitioner. In this regard, the writ petitioner submitted a representation to the third respondent on 04.09.2013 and on 23.12.2013. However, the said representations are yet to be considered by the third respondent.

3.Under these circumstances, without going into the merits of the matter, the third respondent is directed to consider the representations submitted by the writ petitioner on 04.09.2013 and 23.12.2013 and pass orders on merits and in accordance with law within a period of twelve [12] weeks from the date of receipt of a copy of this order. The petitioner is directed to enclose the copies of the representations and all other relevant documents and Government Orders along with the orders passed in the present writ petition.

4.Accordingly, the Writ Petition stands disposed of. No costs.

Sd/-

Assistant Registrar (CS-III)

// True Copy //

Sub Assistant Registrar (CS)



To

1.The Chief Engineer (General),
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Chennai - 600 005.

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Highways,
Batlagundu,
Nilakkottai Taluk,
Dindigul District.

+1cc to Mr.A.THIRUMURTHY,Advocate, SR.No.75770

+1cc to the Spl.Govt.Pleader Sr.No.75959

MR
W.P[MD]No.14537 of 2014
17.07.2019

NA (29.07.2019) 3P :7C