



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 25.09.2019

CORAM:

THE HONOURABLE MS.JUSTICE V.M.VELUMANI

W.P(MD)No.20313 of 2017

and

W.M.P(MD)No.2673 of 2018

The Tamil Nadu Highways Department,
Road Inspectors (I.T.I) Association,
Reg.No.113/2014,
1-72, 'Suba Nivas', Perilovenpatti,
Ettayapuram Taluk,
Tuticorin District - 628 902,
Rep. by its State General Secretary.

... Petitioner

vs.

1.The State of Tamil Nadu,
Rep. by its Secretary to Government,
Finance (C.M.P.C) Department,
Fort St. George, Secretariat,
Chennai - 600 009.

2.Chief Secretary to Government,
Highways & Minor Port Department,
Secretariat,
Chennai - 9.

3.Director General,
Highways Department (C & M),
Guindy, Chennai - 25.

4.The Divisional Engineer,
Highways Department (C & M),
Thoothukudi Division,
Thoothukudi - 628 002.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, to direct the respondent to implement G.O.Ms.No.325, dated 22.07.2013 Finance (Pay Cell) Department and G.O.Ms.No.58 dated 04.08.2017 Highways and Minor Ports (HR1) Department and grant the revised pay scale with all consequential benefits within a stipulated time fixed by this Court by considering the representation dated 20.09.2017.



For Petitioner : Mr.Niranjan S.Kumar
For Respondents : Mr.C.Ramar,
Additional Government Pleader.

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ORDER

This writ petition is filed seeking for a Mandamus, to direct the fourth respondent to implement G.O.Ms.No.325, dated 22.07.2013, Finance (Pay Cell) Department and G.O.Ms.No.58 dated 04.08.2017, Highways and Minor Ports (HR1) Department and to grant the revised pay scale with all consequential benefits to the petitioner, by considering his representation dated 20.09.2017.

2.Heard the learned counsel appearing for the petitioner and the learned counsel appearing for the respondents.

3.The learned counsel appearing for the respondents submitted that all the benefits as per G.O.Ms.No.325, dated 22.07.2013, Finance (Pay Cell) Department and G.O.Ms.No.58, dated 04.08.2017, were given to the petitioner's Association by the fourth respondent.

4.The fourth respondent has filed a counter-affidavit and the relevant portion at paragraph Nos.4 and 5 reads as follows:

'4.This respondent submits that in fact as per G.O.Ms.No.325, dated 22.07.2013 and G.O.Ms.No.58, dated 04.08.2017 all the benefits have been paid for petitioner Road Inspector Association by this respondent.

5.This respondent submits that as per G.O.Ms.No.325, the revised pay scale pay from 5200 + 20200 Grade Pay to 5200 + 20200 + 2400 Grade Pay have been paying by the Department to the petitioner Association, to till date, without prejudice.'

5.In view of the same, the Writ Petition is dismissed. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-
Assistant Registrar(CS-III)

/TRUE COPY/

Sub Assistant Registrar

ps



To

- 1.The Secretary to Government,
Rep. by the State of Tamil Nadu,
Finance (C.M.P.C) Department,
Fort St. George, Secretariat,
Chennai - 600 009.
- 2.Chief Secretary to Government,
Highways & Minor Port Department,
Secretariat,
Chennai - 9.
- 3.Director General,
Highways Department (C & M),
Guindy, Chennai - 25.
- 4.The Divisional Engineer,
Highways Department (C & M),
Thoothukudi Division,
Thoothukudi - 628 002.

+1 CC to M/s.NIRANJAN S.KUMAR, Advocate (SR-89736[F] dated 26/09/2019)

+1 CC to M/s.GP (SR-89858[F] dated 26/09/2019)

W.P (MD) No.20313 of 2017
25.09.2019

JM/10.10.2019/3P/7C