



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 04.06.2019

CORAM:

THE HONOURABLE MR. JUSTICE S.M. SUBRAMANIAM

W.P. (MD) No.4771 of 2011

R.Ramachandran

... Petitioner

vs.

1.The Secretary to Government
Labour and Employment Department
Secretariate, Chennai-9

2.The Director
Department of Employment and Training
Guindy, Chennai-32

3.The Accountant General (A.E.)
361, Anna Salai, Chennai-18

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of writ of certiorarified mandamus calling for the records relating to the impugned letter No.46824/T2/01.7 dated 24.12.2003 and another letter No.50474/T2/2003-3 dated 30.04.2004 of the 1st respondent and quash the same and consequently direct the Respondents No.1 & 2 to fix the pay of the petitioner on par with his junior Ramalingam from the date of joining in the post of Junior Training Officer by the petitioner within a time frame.

For Petitioner : Mr.S.Govindan

For Respondents : Mr.C.Ramar

Additional Government Pleader for R1 & R2

Mr.P.Gunasekaran for R3

O R D E R

The Government letter dated 30.04.2004 issued by the Joint Secretary to Government to the Commissioner, Employment and Training Department, Chennai, is under challenge in the present writ petition. The said Government letter is an internal communication shared between the Joint Secretary to Government and the Commissioner, Employment and Training Department. Such an internal communication would not provide any cause of action to the writ petitioner to file the writ petition. Admittedly, no recovery order has been passed nor any recovery has been effected from the pension of the writ petitioner. Under these circumstances, the writ petitioner has not established any cause of action for the purpose of moving the present writ petition. In the event of any order of recovery affecting the rights of the writ petitioner is passed, then alone the writ petitioner can approach the Court of



law and not otherwise. In this view of the matter, the writ petitioner has failed to establish any cause of action in order to entertain the writ petition and consequently, the writ petition stands dismissed. No costs.

Sd/-

Assistant Registrar(CS-II)

// True Copy //

Sub Assistant Registrar(CS)

krk

To:

1.The Secretary to Government,
Labour and Employment Department,
Secretariate, Chennai-9.

2.The Director,
Department of Employment and Training,
Guindy, Chennai-32.

+1CC TO MR.S.GOVINDAN, Advocate Sr. No.67283
+1CC TO MR.P.GUNASEKARAN, Advocate Sr. No.67206
+1CC TO THE SPECIAL GOVERNMENT PLEADER SR.No. 67057

W.P. (MD) No.4771 of 2011
04.06.2019

KMV(CO)

TR (11.06.2019) 2P 6C