

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATE : 17.07.2020

CORAM

THE HONOURABLE MR. JUSTICE M.DHANDAPANI

W.P. NO.11733 OF 2013

1. S.M.Rahmathulla

2.T.A.Murugan

.. Petitioners

- Vs -

1.The Director of Town Panchayats,
Kuralagam, Chennai-104.

2.The Executive Officer,
Nambiyur Town Panchayat,
Erode District.

.. Respondents

Writ petition filed under Article 226 of the Constitution of India praying this Court to issue a writ of mandamus to direct the respondents to revise the pay scale to the petitioners as indicated by the Government Letter issued in Letter NO.633305/Pay Cell/2010-1 dated 08.11.2010.

For Petitioner : Mr.S.Ilamvaludhi

For Respondents: Mr.S.Thangavel, Spl.G.P.

ORDER

The present writ petition has been filed by the petitioners to direct the respondents to issue the revised scale of pay to the petitioners as indicated by the Government Letter issued in Letter NO.633305/Pay Cell/2010-1 dated 08.11.2010.

3. It is the case of the petitioners that the 1st petitioner is working as Fitter and the 2nd petitioner is working as Electrician under the 2nd respondent Panchayat and both of them were awarded selection grade and special grade in the respective posts. The grievance of the petitioners is that even after the appointment in the post of Fitter and Electrician, there is no promotional avenues available to them. As per the G.O. Ms. No.234, when no promotional chances are available to a post like Fitter and Electrician even though they have moved to the selection Grade and special Grade, they are entitled for step up

in the time scale fixed by the Finance Department. Subsequently the Government issued a G.O. Ms. No.338 Finance (Pay Cell) dated 26.08.2010, which entitled the petitioners to receive revised scale of pay. Since the revised scale of pay was not extended to them, they made detailed representations through their Association to the respondents on 14.06.2012 and 20.03.2013 respectively. Since no action was taken on the representation submitted by the Association, the petitioners have filed the present petition.

4. Though very many grounds have been raised in the petition, however, learned counsel appearing for the petitioners submitted that it would be suffice if this Court passes a direction to the respondents to consider the representation submitted by the Association within a time frame fixed by this Court.

5. Per contra, learned Special Government Pleader appearing for the respondents, though has no objection to the said relief, however, submitted that this Court may direct the petitioners to submit a representation and on such representation being filed, the respondents may be directed to pass orders on the same in accordance with law.

6. In view of the limited relief as sought for in the present petition, this Court, without going into the merits of the contentions raised in the writ petition, permit the petitioners to make a fresh individual representations along with a copy of this order to the respondents within a period of one week from the date on which the order copy and on receipt of the said representation along with a copy of this order, the 1st respondent is directed to consider the same and pass orders in accordance with law within a period of three months from the date of submission of representation along with a copy of this order.

7. The writ petition is disposed of with the aforesaid observations and directions. However, there shall be no order as to costs.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

jrs

To

1.The Director of Town Panchayats,
Kuralagam, Chennai-104.

2.The Executive Officer,
Nambiyur Town Panchayat,
Erode District.

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RSV(CO)
RMP(02/09/2020)



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