

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 31.01.2020

CORAM

THE HON'BLE MR.JUSTICE N.ANAND VENKATESH

W.P.No.2242 of 2020

K.Eswari

... Petitioner

.Vs.

1. The Secretary to Government,  
Social Welfare and Nutritious Meal Programme,  
Fort St. George, Chennai - 9
2. The Director of Social Welfare,  
Panagal Building,  
Saidapet, Chennai - 15
3. The District Integrated Child Development Officer,  
NAMakkal District, Namakkal ... Respondents

Prayer:- Writ petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the respondents to re-fix the Selection Grade Scale of Pay of the petitioner with effect from 01.01.2006 in the scale of pay of Rs.9,300-34,800+GP 4200 till the date of her retirement in the light of the representation made by the petitioner dated 12.09.2019 within a reasonable time.

For Petitioner : Mr.M.Muthappan

For Respondents : Mr.P.S.Siva Shanmugasundaram  
Special Government Pleader  
for R1 to R3.

ORDER

This writ petition has been filed for the issue of writ of Mandamus directing the respondents to re-fix the selection grade scale of pay of the petitioner, who has already retired from service, pursuant to the representation made by the petitioner on 12.09.2019

2. The case of the petitioner is that he joined as a Junior Assistant cum typist in the year 1993 and she was awarded selection grade pay in year 2003, after completion of 10 years

of service. According to the petitioner, the selection grade scale of pay has not been properly fixed in line with the others, for whom it was properly fixed and they are receiving a higher salary.

3. The petitioner has already retired from service and the petitioner made a representation to the 2nd respondent seeking for the re-fixation of selection grade scale of pay and for consequential revision of the pension and other attendant benefits. This was forwarded by the 2nd respondent to the 3rd respondent by his letter dated 12.09.2019. The grievance of the petitioner is that there has been absolutely no action taken on the claim made by the petitioner and therefore, the present writ petition has been filed seeking for appropriate directions.

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

5. Taking into consideration the facts and circumstances of the case and the limited relief that has been sought for in this writ petition, there shall be a direction to the 3rd respondent to furnish all the particulars to the 2nd respondent, pursuant to the letter written by the 2nd respondent to the 3rd respondent on 12.09.2019 in this regard. The 2nd respondent on receipt of the particulars furnished by the 3rd respondent, shall pass appropriate orders, within a period of six weeks from the date on which the particulars are furnished by the 3rd respondent. The petitioner is directed to make a fresh representation to the 3rd respondent along with copy of this order. A copy of the representation shall also be marked to the 2nd respondent.

6. This writ petition is disposed of with the above directions. No costs.

Sd/-  
Assistant Registrar

/True Copy/

Sub Assistant Registrar

To

1. The Secretary to Government,  
Social Welfare and Nutritious Meal Programme,  
Fort St. George, Chennai - 9

2. The Director of Social Welfare,  
Panagal Building,  
Saidapet, Chennai - 15.07.2019
3. The District Integrated Child Development Officer,  
Namakkal District, Namakkal.

+1cc to Mr.M.Muthappan, Advocate Sr.No.7974  
+1cc to The Government Pleader Sr.No.8107

AKM/10.03.2020 /3P-6C/

W.P.No.2242 of 2020



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