

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05.10.2020

CORAM

THE HONOURABLE MR. JUSTICE P.VELMURUGAN

W.P.No.38769 of 2004

K.Ramanathan

...Petitioner

-Vs-

1. The Secretary to Government
Higher Education Department
Fort St George, Chennai 9

2. The Director of Technical Education
Chennai 25.

3. The Principal
Murugappa Polytechnic
SM Nagar, Chennai 62.

...Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Mandamus directing the respondents to extend the monetary benefits to the petitioner from the date of the redesignation as Senior lecturer i.e., from 01.12.1987 and further direct the respondents to refix, draw and disburse the arrears of pay and pension.

For Petitioner : Mr.Alagu Gowtham
for Mr.M.Muthappan

For Respondents: Mr.K.Magesh (R1 and R2)
Special Government Pleader

O R D E R

This Writ Petition has been filed seeking direction to the respondents to extend the monetary benefits to the petitioner from the date of his redesignation as Senior lecturer i.e., from 01.12.1987 and further direct the respondents to refix, draw and disburse the arrears of pay and pension.

2. The case of the petitioner is that he was appointed as Junior instructor in the Murugappa Polytechnic, a Government aided institution and was upgraded as associate lecturer on 01.12.1977. Thereafter, he was upgraded as senior lecturer

from 01.12.1987 vide G.O.Ms.No.548, Higher Education (C) Department dated 24.10.1997 and he was given the notional benefit with effect from 24.10.1997.

3. The grievance of the petitioner is that though the petitioner was upgraded as senior lecturer with effect from 01.12.1987, he was given monetary benefit only from the date of G.O., i.e., 24.10.1997. It is further stated that similarly placed persons filed O.A.No.5165/92 before the Administrative Tribunal and got an order in their favour on 27.05.1997. Therefore, the petitioner is entitled to monetary benefits from 01.04.1987. It is further stated that the petitioner made a representation before the first respondent on 02.12.1999 in this regard. As the same did not evoke any response, he once again made representation to the first respondent on 06.11.2000. Since the same was not considered, the petitioner has approached this Court by way of this writ petition seeking for the relief stated supra.

3. Heard the learned counsel for the petitioner as well as learned Special Government Pleader appearing for respondents 1 and 2.

4. Considering the facts and circumstances of the case and as the eligibility of the petitioner has not been questioned and once he was upgraded as senior lecturer with effect from 01.12.1987 and similarly placed persons also benefited from the Judgment in O.A.No.5165/92 dated 27.05.1997, the petitioner is also entitled to monetary benefits from the date from which he was upgraded as Senior lecturer i.e., on 01.12.1987.

5. In view of the same, this Writ petition is allowed. The respondents 1 and 2 are directed to extend the monetary benefits to the petitioner from the date of his redesignation as Senior lecturer i.e., from 01.12.1987 and to refix, draw and disburse the arrears of pay and pension to the petitioner, within a period of eight weeks from the date of receipt of a copy of this order, if the said benefits have not already been granted till date. No costs.

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Sd/-
Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

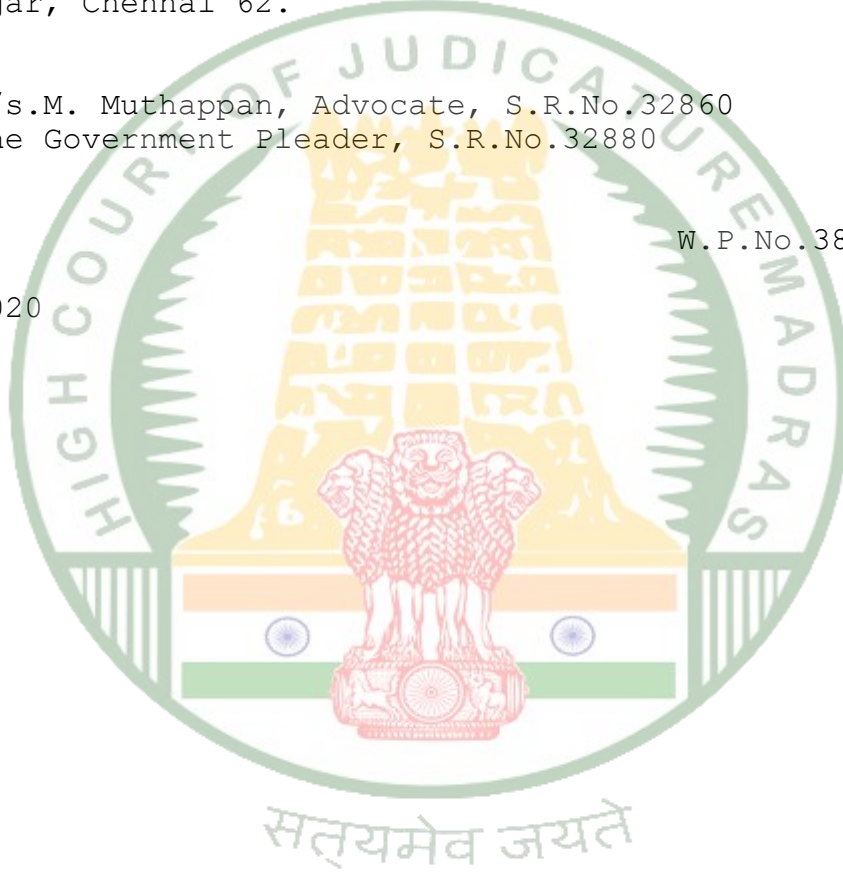
TO

1. The Secretary to Government
Higher Education Department
Fort St George, Chennai 9
2. The Director of Technical Education
Chennai 25.
3. The Principal
Murugappa Polytechnic
SM Nagar, Chennai 62.

+1cc to M/s.M. Muthappan, Advocate, S.R.No.32860
+1cc to the Government Pleader, S.R.No.32880

W.P.No.38769 of 2004

SAI (CO)
EU 8.10.2020



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