

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10.02.2020

CORAM:

THE HONOURABLE Mr. JUSTICE N. ANAND VENKATESH

W.P.No.3035 of 2020

A.Easwaran

... Petitioner

-Vs-

1. The District Collector,
Salem, Salem District.
 2. The Block Development Officer (Village Panchayat),
Panamarathupatti Panchayat Union,
Panamarathupatti,
Salem District.
 3. The Nilavarapatti Village Panchayat,
Rep.by its President,
Nilavarapatti, Panamarathupatti Block,
Salem District.
- ... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the 2nd respondent to consider and pass orders on the representation of the petitioner dated 10.01.2020 for refixation of his pay in the light of para 23 read with the illustration in Appendix I of G.O.Ms.No.303 Finance (Paycell) Department, dated 17.10.2018 within a stipulated period of time.

For Petitioner : M/s.Swadhi Subramaniam
For Respondents : Mr.S.N.Parthasarathi
Government Advocate

ORDER

This Writ Petition has been filed for the issue of writ of Mandamus, directing the 2nd respondent to consider the representation made by the petitioner on 10.01.2020 and to re-fix his pay in accordance with G.O.Ms.No.303 Finance (Paycell)

Department, dated 11.10.2017, within a time stipulated by this Court.

2. The case of the petitioner is that he was working as a Overhead Water Tank Operator. The Government of Tamil Nadu issued G.O.Ms.No.303 Finance (Paycell) Department, dated 11.10.2017 and implemented the recommendation of the 7th pay Commission notionally from 01.01.2016 and by giving the actual benefits with effect from 01.10.2017. Accordingly, the pay of the Overhead Water Tank Operator was also considered and the pay was revised. According to the petitioner, at the time of revision of pay, the petitioner should have got an increment of Rs. 4,240/- (Rupees four thousand two hundred and forty only) and it was erroneously calculated as Rs.3,180/- (Rupees three thousand one hundred and eighty only). The further grievance of the petitioner is that he is receiving lesser pay than his counterparts, for whom the calculation has been correctly made. The petitioner therefore made a representation to the respondents in this regard on 10.01.2020. Since the same has not been considered, the present writ petition has been filed before this Court.

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

4. 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 2nd respondent to consider the representation made by the petitioner on 10.01.2020 and deal with the same, on its own merits and in accordance G.O.Ms.No.303 Finance (Paycell) Department, dated 17.10.2018 and pass appropriate orders, within a period of six weeks from the date of receipt of copy of this order. The petitioner is directed to make a fresh representation to the 2nd respondent along with copy of the representation dated 10.01.2020 and also a copy of this order.

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

Sd/-

Assistant Registrar(C.S.VI)

/True Copy/

Sub Assistant Registrar

To

1. The District Collector,
Salem, Salem District.
2. The Block Development Officer (Village Panchayat),
Panamarathupatti Panchayat Union,
Panamarathupatti,
Salem District.
3. The President,
Nilavarapatti Village Panchayat,
Nilavarapatti, Panamarathupatti Block,
Salem District.

+1 cc to M/s.R.Prem Narayanan, Advocate Sr.No. 10709

+1 cc to The Government Pleader Sr.No. 11816

AKM/11.03.2020/3P- 6C /

W.P.No.3035 of 2020



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