

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 28.02.2020
CORAM
THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH
W.P No.5102 of 2020

P.S.Dhanam

Petitioner

vs.

1. The Government of Tamil Nadu,
Represented by its Secretary,
Finance (Pay Cell) Department,
Fort St. George,
Chennai - 600 009.
2. The Principal Chief Conservator of Forest,
Head of the Forest Department,
Panagal Maligai,
Chennai - 600 015.
3. The District Forest Officer,
Salem Division,
Salem.

Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, to directing the respondents to dispose of the representation of the petitioner dated 18.11.2019 for grant of higher start of pay to petitioner for possessing degree qualification at the time of petitioner appointment by considering petitioner case in the light of the order passed by the Government in Letter No.2680/PC/2018-5 dated 19.09.2018 Finance (Pay Cell) Department with consequential benefits.

For Petitioner : M/s.T.Dharani

For Respondents: Mr.K.J.Sivakumar

Additional Government Pleader

O R D E R

This writ petition has been filed for issuance of a writ of mandamus directing the respondents to dispose of the representation of the petitioner dated 18.11.2019 wherein the petitioner is seeking for a higher start of pay for possessing degree qualification at the time of his appointment.

2.The case of the petitioner is that she was selected to the post of Typist through the recruitment conducted by the TNPSC in the year 2012. The further case of the petitioner is

that as per G.O.Ms.No.321, Finance (Pay Cell) Department, dated 02.07.1998, the candidate is entitled for the grant of higher start of pay at two stages above the minimum of scale of pay to the Graduate Junior Assistant/Typist. However, in the subsequent order in G.O.Ms.No.241, Finance (Pay Cell) Department, dated 22.07.2013 it was ordered that this will also apply to those who do not possess degree qualification at the time of appointment. The grievance of the petitioner is that the persons who were selected along with him were given higher start of pay and the petitioner has not been given the said relief. Therefore, the petitioner made a representation to the respondents on 18.11.2019 in this regard and since the same was not considered, the present writ petition has been filed before this Court seeking for appropriate directions.

3.Heard the learned counsel for the petitioner and the learned counsel appearing on behalf of the respondents.

4.Taking into consideration the facts and circumstances of the case and also the limited relief that has been sought for in this writ petition, there shall be a direction to the 1st respondent to consider the representation made by the petitioner on 18.11.2019 in line with the earlier Government orders and the orders passed for similarly placed persons and pass appropriate orders, within a period of eight weeks from the date of receipt of copy of this order. The petitioner is directed to make a fresh representation to the 1st respondent along with a copy of the representation dated 18.11.2019 and a copy of this order.

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

-s/d-
Assistant Registrar

True Copy

Sub-Assistant Registrar

ssr

To

1. The Secretary,
Finance (Pay Cell) Department,
Fort St. George,
Chennai - 600 009.
2. The Principal Chief Conservator of Forest,
Head of the Forest Department,
Panagal Maligai,
Chennai - 600 015.

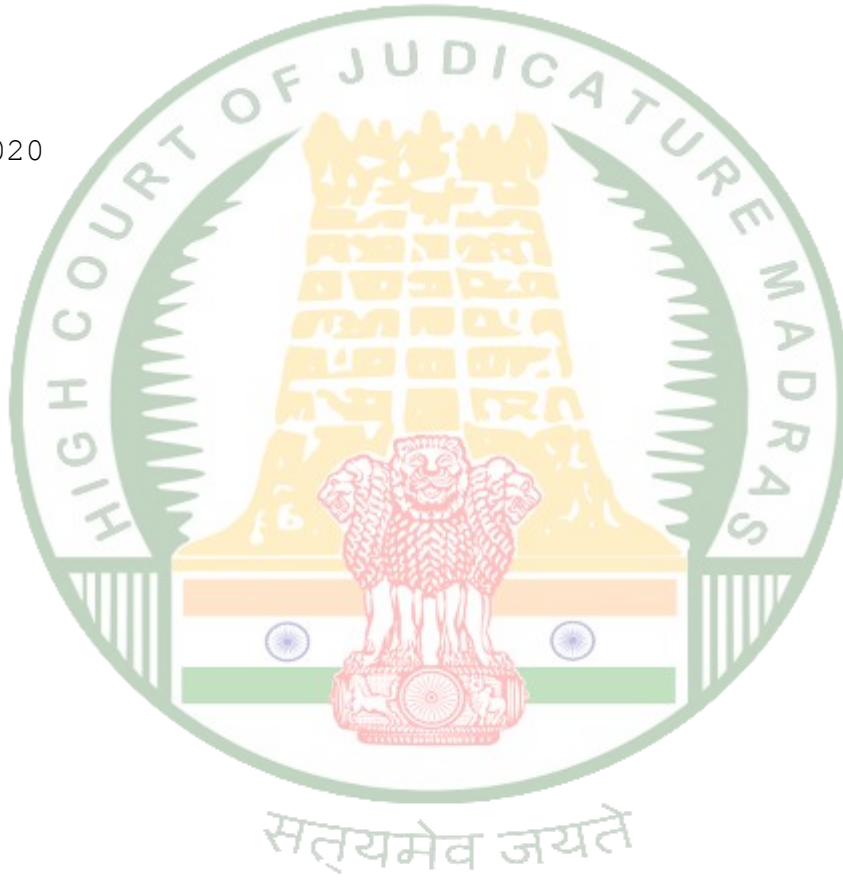
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3. The District Forest Officer,
Salem Division,
Salem.

+1 cc to M/s.T.Dharani Advocate sr18488
+2 ccs to the Special Government Pleader sr 17930 & 18437

W.P No.5102 of 2020

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aa15/04/2020



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