

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28.10.2020

CORAM:

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

Writ Petition No.5644 of 2014

K.Vijhay Saai

... Petitioner

vs.

1. The Commissioner,
Civil Supplies and Consumer Protection Department,
Chepauk,
Chennai 600 005.

2. The Assistant Commissioner,
Civil Supplies and Consumer Protection Department,
Mylapore Zone,
Chennai 600 004.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a writ of Mandamus, directing the Respondents to fix the Petitioner's pay scale in the cadre of Superintendent from the year 2008-09 and consequently pay the arrears of salary and all other attendant benefits with effect from 21.07.2008 including the rebuilding of Service Register.

For Petitioner : Mr.K.Surendar

For Respondents : Mr.S.Thangavelu,
Special Government Pleader

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ORDER

Petitioner has come up with this Writ Petition seeking a direction to the Respondents to fix his pay scale in the cadre of Superintendent from the year 2008-09 and consequently pay arrears of salary and all other attendant benefits with effect from 21.07.2008 including the rebuilding of Service Register.

2. The case of the Petitioner is that, he was granted promotion to the post of Superintendent, in pursuance of the order passed by this Court. However, his pay scale was not fixed with effect from 21.07.2008 and D.A. arrears have not

been paid with effect from the said date of promotion. In respect of his grievance, the Petitioner made a representation to the 1st Respondent on 09.10.2012. As no order was passed on the said representation, the Petitioner has come up with the present Writ Petition.

3. Learned counsel for the Petitioner restricted the relief sought in the Writ Petition to the effect that, the 1st Respondent may be directed to consider the Petitioner's representation with regard to grant of monetary benefits to the Petitioner and the learned Special Government Pleader appearing for the Respondents has no serious objection to the same.

4. Considering the facts and circumstances of the case and taking into account the restriction of relief, the 1st Respondent herein is directed to consider the Petitioner's representation with regard to payment of monetary benefits due to him, and pass appropriate orders in accordance with law within a period of three months from the date of receipt of a copy of this order.

The Writ Petition is disposed of with the above direction. No costs.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

(aeb)

To:

1. The Commissioner,
Civil Supplies and Consumer Protection Department,
Chepauk,
Chennai 600 005.
2. The Assistant Commissioner,
Civil Supplies and Consumer Protection Department,
Mylapore Zone,
Chennai 600 004.

+1cc to Mr.K.Surendar, Advocate SR.34937
+1cc to the Government Pleader SR.35032

W.P.No.5644 of 2014

SAI (CO)
CB(10/12/2020)