

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06.01.2020

CORAM :

The Hon'ble Mr.A.P.SAHI, THE CHIEF JUSTICE

AND

The Hon'ble Mr.JUSTICE SUBRAMONIUM PRASAD

W.P.Nos.19621 and 19622 of 2017
and W.M.P.Nos.21186 and 21187 of 2017

A. Sampath Petitioner in W.P.No.19621 of 2017

Ravanaraj Petitioner in W.P.No.19622 of 2017

-vs-

1.The Secretary to Government,
Home (Courts V) Department,
Government of Tamil Nadu,
Secretariat,
Chennai - 600 009.

2. The Principal District Court,
Vellore.

3. The Chief Administrative Officer,
Principal District Court,
Vellore.

4. The Principal Accountant General (A&E),
Mount Road, Chennai - 18.

5. The Registrar General,
High Court, Madras.

(R.5 impleaded vide Court Order dated
07.01.2019 made in WMP Nos.447 &
449/2019)

..... Respondents

Petitions filed under Article 226 of the Constitution of India praying for issue of Writ of Certiorarified Mandamus to call for the records in Dis.Nos.1610 and 1611/2015 dated 26.02.2015 of the third respondent and quash the same and consequently direct the respondents herein to re-fix the grade pay of the petitioners from Rs.1900/- to Rs.2400/-and pay all the arrears together with all concomitant benefits.

For Petitioners	: Mr.M. Devaraj
For Respondents	: Mr.R. Vijayakumar Addl. G.P. for R-1
	: Mr.E.K. Kumaresan for RR 2, 3 and 5
	: Ms.Hema Muralikrsihnan for R-4

COMMON ORDER

(Delivered by The Hon'ble Chief Justice)

Heard learned counsel for the petitioners and learned counsel appearing for respondents. The issue relates to excess payment of Grade Pay.

2.Learned counsel for the petitioners contends that even assuming for the sake of arguments that certain excess payments were made, the Government Order which was issued on 06.07.2015 itself makes a provision in paragraph 9 that in case any excess payment has been made based on the clarification issued in the Government letter, the same be waived as a special case.

3.Having considered the said submissions raised and in view of the aforesaid limited prayer made, we dispose of the writ petitions with liberty to the petitioners to represent the matter before the concerned Secretary, respondent no.1, who shall take into account the impact of the said Government Order and pass an appropriate order in accordance with law within three weeks of the date of production of a certified copy of this order.

The Writ Petitions are, accordingly, disposed of. There shall be no order as to costs. Consequently, W.M.P.Nos.21186 and 21187 of 2017 are closed.

Sd/-
Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

sra

To

- 1.The Secretary to Govt. of Tamil Nadu,
Home (Courts V) Department,
Secretariat, Chennai - 600 009.
2. The Principal District Court,
Vellore.
3. The Chief Administrative Officer,
Principal District Court,
Vellore.
4. The Principal Accountant General (A&E),
Mount Road, Chennai - 18.
5. The Registrar General,
High Court, Madras.

+1cc to Government Pleader SR.NO. 1294
+1cc to Ms.Hema Muralikrsihnan, Advocate sr.1179
+2cc to M/s.W.M.Abdul Majeed, Advocate sr.1398

W.P.Nos.19621 and 19622 of 2017

pa(co)
nr 04/02/2020