



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 02.09.2020

CORAM:

THE HONOURABLE MR.JUSTICE R.SURESH KUMAR

W.P. (MD) No.10735 of 2020

S.Kamaraj

... Petitioner

Vs.

- 1) The Secretary to Government,
Social Welfare Department,
St.George Fort, Chennai
- 2) The Commissioner,
Social Defence Department,
300, Purasaivakkam High Road,
Kellis, Chennai 10
- 3) The Superintendent,
Government Children Home for Boys,
Mallipuhur Post,
Srivilliputhur Taluk,
Virudhunagar District.
- 4) The Superintendent,
Government Children Home for Boys,
Thanjavur,
Thanjavur District.

... Respondents

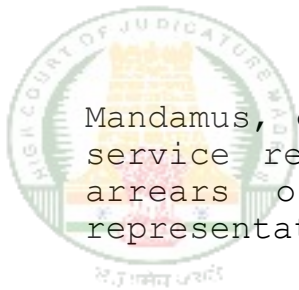
PRAYER: Writ Petition is filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the respondents 1 to 3 to send the petitioner's service record to the 4th respondent's office and to release the arrears of salary, other benefits amount by considering his representations dated 03.10.2019 and 02.12.2019 within stipulated time fixed by this Court.

For Petitioner : Mr.S.A.Ajmal Khan

For Respondents : Mrs.J.Padmavathi Devi,
Special Government Pleader

O R D E R

The prayer sought for in this writ petition is for a Writ of



Mandamus, directing the respondents 1 to 3 to send the petitioner's service record to the 4th respondent's office and to release the arrears of salary, other benefits amount by considering his representations dated 03.10.2019 and 02.12.2019.

2. The petitioner, who was appointed as a Gardener in the year 1998, had been continuously working at the fourth respondent office.

3. From the year 1999 to 2004, he claimed that, he was given increment for his time scale of pay. However, thereafter no increment was given and his pay revision has not so far been done despite two Pay Commission, namely VI and VII Pay Commissions, which made their recommendations and the same has been implemented for all the State Government employees.

4. In this regard, the petitioner claimed that, he is getting a salary around Rs.17,000/- whereas, in the category of the petitioner, those who got appointed along with the petitioner or similarly placed persons are getting a salary around Rs.35,000/-. Therefore, this huge disparity in salary, according to the petitioner, has to be rectified by way of review or re-fixation.

5. In this regard, the petitioner claimed that, several representations have been given. However, it did not yield any fruitful result. Therefore, lastly the petitioner, on 02.12.2019, has given a representation to the first respondent/ Secretary to the Government and even that was also not considered and thereafter, the petitioner continues to keep on writing or giving representations to various Authorities. Since nothing was forthcoming from the respondents, the petitioner has approached this Court by way of this writ petition with the aforesaid prayer.

6. Heard the learned counsel appearing for the petitioner and the learned Special Government Pleader appearing for the respondents, who would submit that, the representation dated 02.12.2019 submitted to the first respondent may be considered on merits and in accordance with law, within a time frame that may be stipulated by this Court.

7. Considering the limited scope of the prayer sought for herein, as submitted by the learned counsel appearing for the petitioner and the learned Special Government Pleader appearing for the respondents, this Court is inclined to dispose of the writ petition with the following orders:

"that the respondents, especially the first respondent, is hereby directed to consider the representation of the petitioner, dated 02.12.2019 and pass orders thereon on merits and in accordance with law

within a period of twelve weeks from the date of receipt



of a copy of this order. "

8. With these directions, the Writ Petition is disposed of. However, there shall be no order as to costs.

WEB COPY

Sd/-

Assistant Registrar (CS-II)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

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Note: In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To:

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+1 CC to M/s.GP (SR-15806[F] dated 03/09/2020)

Order made in

W.P. (MD) Nos.10735 of 2020

Dated:

02.09.2020

AP(29.10.2020) 3P 6C