



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 08.10.2020

CORAM

WEB COPY

THE HONOURABLE MR.JUSTICE **S.M.SUBRAMANIAM**

W.P. (MD) No.6486 of 2015

and

M.P (MD) No.2 of 2015

- 1.A.Ravi
- 2.G.Mottayan
- 3.S.Mahendran
- 4.K.Mahadevan
- 5.P.Poongodi
- 6.M.Sekar
- 7.S.Krishnamoorthy
- 8.G.Sasikala
- 9.M.Krishnaveni
- 10.J.Kennedy Samuel
- 11.E.Martin Michael Vasanthan
- 12.R.Deisy Arul Mary
- 13.V.Subbulakshmi
- 14.M.Durai Raj
- 15.B.Dhanasekaran
- 16.P.S.Manoharan
- 17.K.Periyasamy
- 18.R.Poongodi

...Petitioners

Vs.

- 1.The Secretary to Government,
Finance (Pay Cell) Department,
Government of Tamil Nadu,
Fort St. George,
Chennai - 600 009.
- 2.The Secretary to Government
Personnel & Admn. Department,
Government of Tamil Nadu,
Fort St. George,
Chennai - 600 009.
- 3.The Secretary to Government
Environment & Forest Department,
Government of Tamil Nadu,
Fort St. George,
Chennai - 600 009.



4.The Chairman

Tamilnadu Pollution Control Board,
100, Anna Salai, Guindy,
Chennai - 600 032.

5.The Member Secretary

Tamil Nadu Pollution Control Board,
No. 76, Mount Road, Guindy,
Chennai - 600 032.

...Respondents

PRAYER: Writ petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus directing the Respondents herein to establish a separate Accounts cadre as per the Board Resolution No.115-45 dated 29.11.1991 and approved by the Board Proceedings in B.P.No.483 dated 11.07.1991 and B.P.No.484 dated 11.07.1991 adopting the recommendations of Thiru. Arjun Gnanaolivu Committee, dated 27.05.1991.

For Petitioners : Mr.K.Appadurai

For Respondents 1 to 3 : Mr.M.Mari Chelliah Prabhu
Government Advocate

For Respondents 4 & 5 : No Appearance

O R D E R

The relief sought for in the present writ petition is to direct the respondents to establish a separate Accounts cadre, as per the Board Resolution dated 29.11.1991, as approved by the Board Proceedings in B.P.No.483 dated 11.07.1991 and B.P.No.484 dated 11.07.1991.

2.The writ petitioners were working as Assistant Manager. The learned counsel appearing on behalf of the writ petitioners made a submission that the Board has passed a Resolution No.115-45, dated 29.11.1991, which was approved by the Proceedings in B.P No.483 dated 11.07.1991 and B.P.No.484 dated 11.07.1991, regarding the establishment of a separate Accounts cadre. Despite the fact that a separate Accounts cadre has been created and the Board passed a resolution, the benefits are not extended the employees. Thus, the writ petitioners have constrained to move the present writ petition.

3.This court is of the considered opinion that if at all the Board passed a Resolution establishing a separate Accounts cadre, then the benefit granted by the Board is to be extended to all the qualified and eligible employees in the manner known to law.



Once the Board passed a Resolution and the said Resolution is in force and the Board proceedings are also issued to that effect, it is needless to say that the benefits extended in the Board proceedings are to be granted to the employees.

4. In the present case, on account of efflux of time the current status is not made available. Under these circumstances, the respondents are directed to consider the case of the writ petitioners with reference to the Board Proceedings passed in B.P.No.483 dated 11.07.1991 and B.P No.484 dated 11.07.1991 and pass appropriate orders on merits and in accordance with law, as expeditiously as possible. The writ petitioners are also at liberty to submit a fresh representation setting out the details, if any other grievance exists as of now. Accordingly, the writ petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (CS-II)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

Rm

To

1.The Secretary to Government,
Finance (Pay Cell) Department,
Government of Tamil Nadu,
Fort St. George, Chennai - 600 009.

2.The Secretary to Government
Personnel & Admn. Department,
Government of Tamil Nadu,
Fort St. George, Chennai - 600 009.

3.The Secretary to Government
Environment & Forest Department,
Government of Tamil Nadu,
Fort St. George,
Chennai - 600 009.

+1 CC to SGP (SR-19617[F] dated 09/10/2020)

W.P. (MD) No.6486 of 2015
08.10.2020

SVN(CO)

NR (20/10/2020) 3P : 5C

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