



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 08.10.2020

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

W.P.(MD) No.6550 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.Duraiaraj
- 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 modify the Regulation 2010 in consonance with the Regulation 1998 governing the conditions of employees in the Board service for proper fixation of pay, seniority and promotion similar to and on par with Government servants with effect from 1991 and in accordance with law without any disparity or discrimination in public employment.

For Petitioners : Mr.K.Appadurai

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

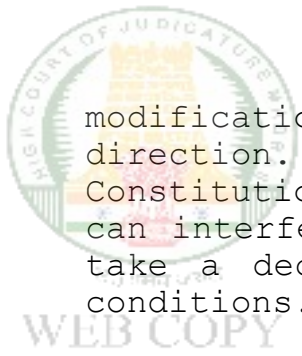
For Respondents 4 & 5 : No Appearance

O R D E R

The relief sought for in the present writ petition is to direct the respondents to modify the Regulation 2010 inconsonance with the Regulation 1998 governing the conditions of the Employees in the Board Service for proper fixation of pay, seniority and promotion similar to and on par with the Government service with effect from 1991.

2.The learned counsel appearing on behalf of the writ petitioners mainly contended that the Regulation 2010 is discriminatory and there is a disparity in the matter of fixation of pay, seniority and promotion. Therefore, the writ petitioners have made a representation to modify the Regulation 2010 inconsonance with the Regulation 1998.

3.The learned counsel for the writ petitioners made a submission that the Board has passed a Resolution in this regard. If at all a Resolution is passed, it is for the Board to adopt the same, by following the procedures contemplated. As far as the



modification of Regulation is concerned, the Court cannot issue a direction. If the Regulation, if at all, in violation of the Constitutional provisions are discriminatory, then only the Courts can interfere, otherwise, it is for the Administrative Authority to take a decision regarding the fixation of pay and other service conditions.

4. In the present case, the general prayer as such sought for cannot be considered. However, the learned counsel for the writ petitioners submitted that the Board has passed a Resolution in order to settle the issues. Such being the factum, the writ petitioners are at liberty to approach the respondents for the purpose of redressing their grievance, if any exists as to now.

5. With these observations, the writ petition stands disposed of. No costs.

Sd/-

Assistant Registrar (CS-II)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

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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-19618[F] dated 09/10/2020)

W.P.(MD) No.6550 of 2015
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SVN(CO)

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

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