

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.02.2021

CORAM :

THE HONOURABLE MR.JUSTICE S.VAIDYANATHAN

W.P.No.1970 of 2021

Tamilnadu Diploma Engineers Association,
(Department of Employment and Training),
rep. By its President S.Vijayamurugam,
12E, Seelavari Housing Board,
Puthumariamankoil Post,
Salem - 636 003.

...Petitioner

Vs.

1. The Principal Secretary to Government,
Home Department,
Government of Tamil Nadu,
Secretariat,
Chennai 600 009.
2. The Principal Secretary to Government,
Department of Labour and Employment,
Government of Tamil Nadu,
Secretariat,
Chennai 600 009.
3. The Chairman,
One Man Committee,
Government Secretary (Expenditure),
Finance Department,
Secretariat, Chennai 600 009.
4. The Director,
Department of Employment and Training,
Head Office, Guindy,
Chennai 600 032.

...Respondents

Writ Petition filed under Article 226 of the Constitution of India, praying to issue a writ of Mandamus, directing the 4th Respondent to rectify the pay anomaly by fixing higher scale of pay and to fix the pay band of Rs.36900-116600 for the post of Junior Training Officer, of Rs.37700-119500 for the post of Assistant Training Officer, of Rs.56100-177,500 for the post of Training Officer and Rs.59300-187700 for the post of Principal working in the Government Industrial Training Institutes with effect from 01.01.2006 by implementing the One Man Commission Report submitted by the 3rd Respondent.

For Petitioner : Mr.A.Nagarathinam
For Respondents : Mr.J.Pothiraj,
Special Government Pleader

O R D E R

Petitioner Association has come up with this Writ Petition seeking a direction to the 4th Respondent to rectify the pay anomaly by fixing higher scale of pay and to fix the pay band of Rs.36900-116600 for the post of Junior Training Officer, of Rs.37700-119500 for the post of Assistant Training Officer, of Rs.56100-177,500 for the post of Training Officer and Rs.59300-187700 for the post of Principal working in the Government Industrial Training Institutes with effect from 01.01.2006 by implementing the One Man Commission Report submitted by the 3rd Respondent.

2. Mr.J.Pothiraj, learned Special Government Pleader takes notice for the Respondents. By consent of the learned counsel on either side, this matter is taken up for final disposal.

3. It is stated by the Petitioner Association that, the Government of Tamilnadu issued a Government Order vide G.O.Ms.No.57, dated 19.02.2018 constituting a One-Man Committee headed by the 3rd Respondent, to rectify the pay anomalies by fixing higher scale of pay for the post of Junior Training Officer, Assistant Training Officer, Training Officer and Principal, working in the Government Industrial Training Institutes on par with their counterparts. To implement the One Man Commission Report, the Petitioner Association made a representation dated 12.05.2018 to the 3rd Respondent followed by a reminder dated 06.01.2021. As no action is forthcoming, the Petitioner Association has approached this Court with the above relief.

4. Heard the learned counsel on either side and perused the material documents available on record.

5. This Court is of the view that, the facts narrated by the Petitioner Association in their representation have to be considered independently and there is no specific direction to the effect that, the One Man Commission Report has to be accepted. However, taking note of the facts and circumstances of the case, this Court directs the 4th Respondent herein to consider the representation dated 12.05.2018 submitted by the Petitioner Association on merits and in accordance with law and pass appropriate orders within a period of sixty days from the date of receipt of a copy of this order, after affording an opportunity of hearing to the employees concerned.

With the above direction, this Writ Petition is disposed of.
No costs.

Sd/-
Asst.Registrar (CS VII)

/true copy/

Sub Asst. Registrar

(aeb)

To:

1. The Principal Secretary to Government,
Home Department,
Government of Tamil Nadu,
Secretariat,
Chennai 600 009.
2. The Principal Secretary to Government,
Department of Labour and Employment,
Government of Tamil Nadu,
Secretariat,
Chennai 600 009.
3. The Chairman,
One Man Committee,
Government Secretary (Expenditure),
Finance Department,
Secretariat, Chennai 600 009.
4. The Director,
Department of Employment and Training,
Head Office, Guindy,
Chennai 600 032.

+1cc to Mr.A.Nagarathinam, Advocate, SR.No.5601
+1cc to Government Pleader, SR.No.5573

W.P.No.1970 of 2021

PMK (CO)
KKV/16/03/2021

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