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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.12.2021

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THE HON'BLE MR. JUSTICE D.KRISHNAKUMAR

W.P.NOS. 14649 TO 14652 OF 2008 & 4986 OF 2008

S.Ekambaram	..Petitioner in W.P. No. 14649 of 2008
K.Ramakrishnan	..Petitioner in W.P. No. 14650 of 2008
K.R.Shanmugam	..Petitioner in W.P. No. 14651 of 2008
R.Karthikeyan	..Petitioner in W.P. No. 14652 of 2008

Vs

1.The North Arcot District Co.Op.Milk
Producers Federation Union Ltd.,
Aavin, Vellore Dairy, Vellore -632009.
Represented by its
Managing Director.

..1st Respondent in W.P. Nos. 14649 & 14652 of 2008

The Erode District Co.Op. Milk
Producers Union Ltd.,
Aavin, Erode Dairy,
Vasavi College P.O. Erode-638316
Represented by its
Managing Director.

..1st Respondent in W.P. No. 14650 & 14651 of 2008

2.The Tamil Nadu Co.Op. Milk
Producers Federation Ltd,
Nandhanam, Chennai-600035.
Represented by its
Managing Director.

3.The Commissioner for Milk Production
Dairy Development,
Chennai-600051.

..2nd & 3rd respondents in
W.P.Nos. 14649, 14650, 14651
& 14652 of 2008



W.P.No. 4986 of 2008

G.Ramachandran

..Petitioner

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Vs

1.The Tamil Nadu Co.Op. Milk
Producers Federation Ltd,
Nandhanam, Chennai-600035.
Represented by its
Managing Director.

2.The Commissioner for Milk Production
Dairy Development,
Chennai-600051

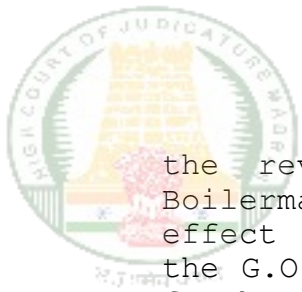
..Respondents

Common Prayer in W.P.No. 14649, 14650 & 4986 of 2008 :

Writ petitions are filed under Article 226 of Constitution of India for Writ of Certiorarified Mandamus, calling for the records connected with the proceedings No. 3344/Pers & Estt. 6/2003 dated 5.3.2007 of the 2nd respondent and quash the same since it has not given the revised VIth pay Commission fixation of scale of pay of Rs.4000-100-6000 to the category of Electrician grade I notionally from 1.1.1996 and monetary fitment benefit from 1.9.1998 and further direct the 2nd respondent to implement the revised fixation of scale of pay to the category of Electrician grade I with effect from 1.1.1996 and with monetary effect from 1.9.1998 as ordered by the VIth pay commission and the G.O.No. 458 Finance (Pay Cell) department dated 31.08.1998 and further direct the respondents to give all consequent benefit of fitment for both the selection and special grade pay in the post of Electrician grade I at Rs.5000-150-8000 and 5500-175-9000 respectively and to pay arrears of pay and allowances from 01.09.1998.

Prayer in W.P.No.14651 of 2008 :

Writ petition is filed under Article 226 of Constitution of India for Writ of Certiorarified Mandamus, calling for the records connected with the proceedings No. 3344/Pers & Estt. 6/2003 dated 5.3.2007 of the 2nd respondent and quash the same since it has not given the revised VIth pay Commission fixation of scale of pay of Rs.4000-100-6000 to the category of Boilerman grade II notionally from 1.1.1996 and monetary fitment benefit from 1.9.1998 and further direct the 2nd respondent to implement



the revised fixation of scale of pay to the category of Boilerman grade II with effect from 1.1.1996 and with monetary effect from 1.9.1998 as ordered by the VIth pay commission and the G.O.No.458 Finance (Pay Cell) department dated 31.8.1998 and further direct the respondents to give all consequent benefit of fitment for both the selection and special grade pay in the post of Boilerman grade II at Rs.5000-150-8000 and 5500-175-9000 respectively and to pay arrears of pay and allowances from 01.09.1998.

Prayer in W.P.No.14652 of 2008 :

Writ petition is filed under Article 226 of the Constitution of India pleaded to issue a Writ of Certiorarified Mandamus, calling for the records connected with the proceedings No.3344/Pers & Estt. 6/2003 dated 5.3.2007 of the 2nd respondent and quash the same since it has not given the revised VIth pay Commission fixation of scale of pay of Rs.4000-100-6000 to the category of Boilerman grade II notionally from 1.1.1996 and monetary fitment benefit from 1.9.1998 and further direct the 2nd respondent to implement the revised fixation of scale of pay to the category of Boilerman grade II with effect from 1.1.1996 and with monetary effect from 1.9.1998 as ordered by the VIth pay commission and the G.O.No.458 finance (Paycell) department dated 31.08.1998 and further direct the respondents to give all consequent benefit of fitment for both the selection grade pay in the post of Boilerman grade II at Rs.5,000-150-8000 with out effect from 03.06.2004 and to pay arrears of pay and allowances from 01.09.1998.

For Petitioner : No Appearance
(in all WPs)

For Respondents: Mr.C. Selvaraj, AGP - R1 to R3

(For R1 to R3 in W.P.Nos. 14649 & 14652 of
2008 & For R1 & R2 in W.P.No. 4986 of
2008)

Mr. S.Arumugam, GA - R1 to R3
(in W.P.Nos. 14650 & 14651 of 2008)

COMMON ORDER

The prayer sought for in these writ petitions is to quash the proceedings No. 3344/Pers & Estt. 6/2003 dated 5.3.2007 of the 2nd respondent and to direct the 2nd respondent to implement the revised fixation of scale of pay with effect from 1.1.1996 and with monetary effect from 1.9.1998 as ordered by the VI pay



commission and the G.O.No.458 Finance (Pay Cell) department dated 31.8.1998 and also to grant consequential benefits.

2. It is seen from the records, despite several opportunities granted by this Court, the learned counsel for the petitioners has not taken steps to contest the case but sought for adjournments. When the matter was taken up for hearing on 18.11.2021, only at the request of the learned counsel for the petitioners, these cases were directed to be listed under physical hearing. Again, when these cases listed on 02.12.2021, there was no appearance on behalf the petitioner, hence the registry was directed to list these cases under the caption 'for Dismissal' today. Today also none appeared on behalf of the petitioners.

3. In view of the above, these writ petitions are dismissed for non prosecution. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar(CS VI)

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Sub Assistant Registrar

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To

1.The Managing Director
North Arcot District Co.Op.Milk
Producers Federation Union Ltd.,
Aavin, Vellore Dairy, Vellore -632009.

2. The Managing Director.
Erode District Co.Op. Milk
Producers Union Ltd.,
Aavin, Erode Dairy,
Vasavi College P.O. Erode-638316

3.The Managing Director
Tamil Nadu Co.Op. Milk
Producers Federation Ltd,
Nandhanam, Chennai-600035.



4.The Commissioner for Milk Production
Dairy Development,
Chennai-600057.

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+1cc to Mr.C.Selvaraj, AGP, S.R.No.64893
+1cc to the Government Pleader, S.R.No.64840

W.P.Nos. 14649 to 14652 of 2008
& 4986 of 2008

EV (CO)
PM/23/12/2021