

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.02.2021

CORAM

THE HON'BLE MR.JUSTICE R. SURESH KUMAR

Writ Petition No.5024 of 2009

M.Hariharan

... Petitioner

-Vs-

Secretary

Art & Culture Department

Government of Puducherry

& Vice Chairman, Bharathiar

Palkalai Koodam (BPK) Chief Secretariat

Puducherry.

... Respondent

Prayer : Writ Petition under Article 226 of the Constitution of India praying for a Writ of Mandamus directing the respondent to disburse the leave salary increment arrears and arrears of salary due to petitioner giving due increment and by fixing petitioner pay in accordance with rules.

For Petitioner : Mr.P.Suresh

For Respondents : Mr.Mustafa
Government Pleader (Puducherry)

O R D E R

The prayer sought for herein is to direct the respondent to disburse the leave salary increment arrears and arrears of salary due to petitioner giving due increment and by fixing petitioner pay in accordance with rules.

2. With regard to the fixation of pay and also for salary arrears as alleged by the petitioner, the petitioner has given a representation dated 22.02.2009. However, since the same has not been disposed of by the respondent, the petitioner has approached this Court with the above writ petition with the aforesaid prayer.

3. Learned counsel for the petitioner submitted that though the petitioner has submitted several representations to the respondent with regard to the salary arrears and increment arrears, despite the orders passed by this Court in the connected writ petitions, by way of an interim order, the same has not been considered. Therefore, he has given several representations to the respondent, but the same were also not

considered.

4. However, Mr. Mustafa, learned Government Pleader (Puducherry) appearing for the respondent would submit that, the amount eligible to be paid to the petitioner have been paid to him and insofar as other entitlements, the issue is pending in number of cases filed by him and therefore at this point of time, what has been asked for by the petitioner cannot be countenanced and therefore the prayer sought for by the petitioner has to be rejected, he contended.

5. I have considered the submissions made by the learned counsel for the petitioner and have noted the facts projected by the petitioner before this Court.

6. Since he has already approached the respondent by way of giving representation dated 22.02.2009 with regard to his grievance of fixation of pay and arrears and such representation has not been so far disposed of, this Court feels that a direction can be given to the respondent to dispose of the representation dated 22.02.2009 given by the petitioner on merits and in accordance with law within a time frame to be stipulated by this Court.

7. In view of the above, this writ petition is disposed of with the following directions. The respondent is hereby directed to consider the representation dated 22.02.2009 and pass orders thereof on merits and in accordance with law within a period of eight weeks from the date of receipt of a copy of this order. With the above direction, this writ petition is disposed of. No costs.

-s/d-

Assistant Registrar

True Copy

Sub-Assistant Registrar

KST
To

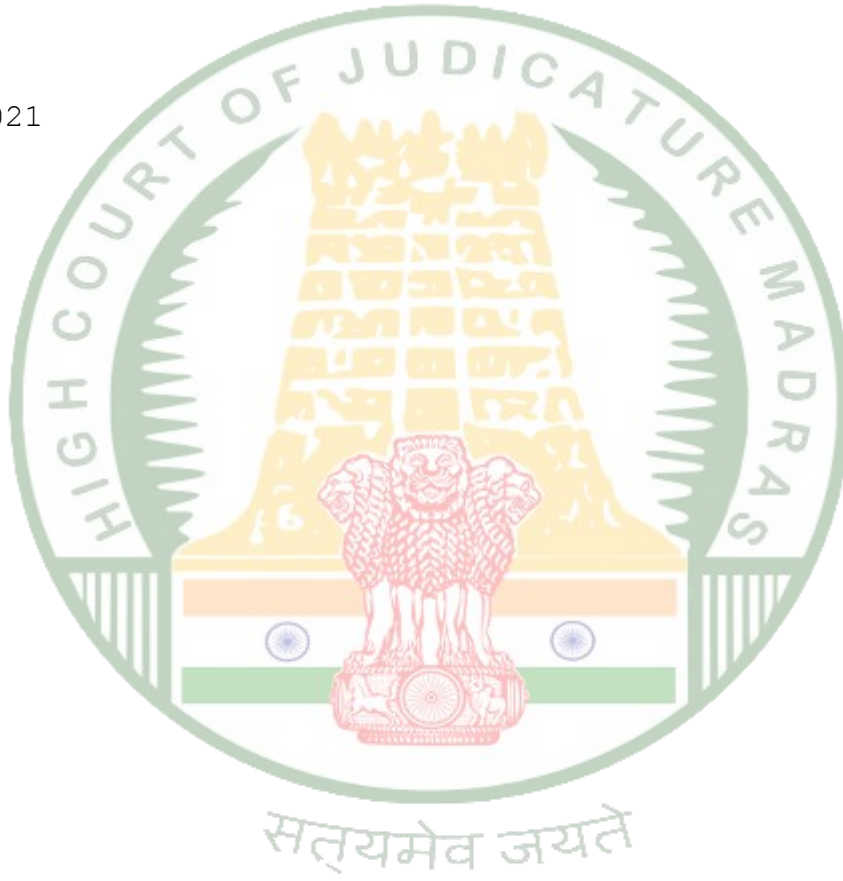
Secretary
Art & Culture Department
Government of Puducherry
& Vice Chairman, Bharathiar
Palkalai Koodam (BPK) Chief Secretariat
Puducherry.

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+1 cc to Mr.P.Suresh Advocate sr6933

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