

IN THE HIGH COURT OF JUDICATURE AT MADRAS

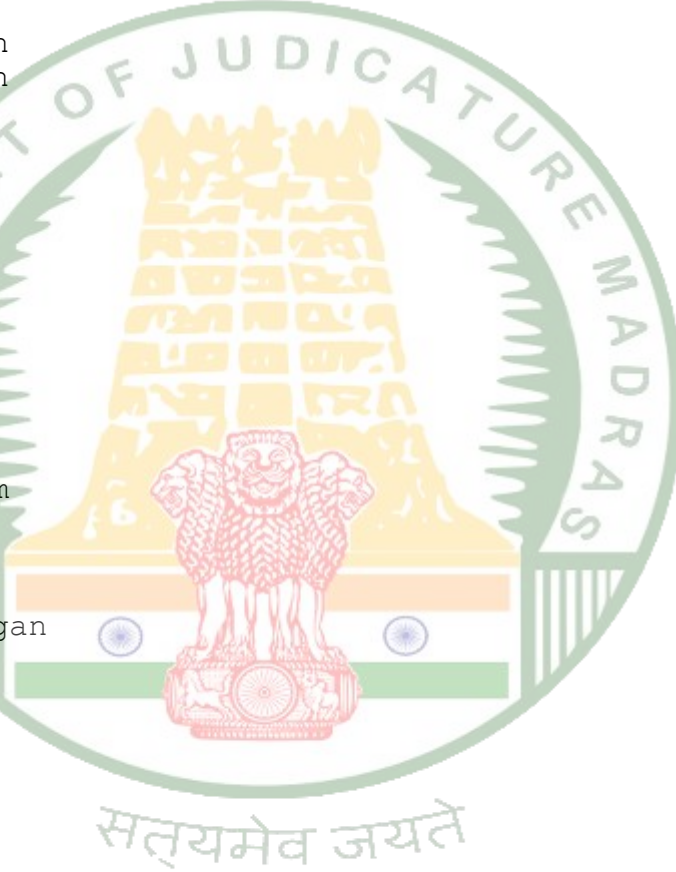
DATED : 16.03.2021

CORAM:

THE HONOURABLE MR.JUSTICE S.VAIDYANATHAN

W.P.No.6694 of 2021

1. T.J.K.Sankarganesh
2. N.Sakthivel
3. M.Elavarasan
4. V.Nitheeswaran
5. S.Aranganathan
6. M.Ravidurai
7. G.Dharmaraj
8. A.Jothivel
9. T.Ramesh
10. C.Ganeshan
11. M.Moorthy
12. G.Velmurugan
13. C.Saravanan
14. M.Thirupathi
15. P.Sivasamy
16. T.Elakkuvan
17. M.Sivamanickam
18. S.Sridhar
19. M.Ramesh
20. C.Sundararaju
21. B.Senthilmurugan
22. G.Kannan
23. A.Moorthy
24. S.Markkandan
25. T.Vairamuthu
26. S.Chinnaraj
27. A.Balu
28. R.Kannan
29. C.Chitheshwaran
30. A.Amalraj
31. A.Singaravel
32. S.Thirukumaran
33. S.Adaikalasamy
34. R.Sivaraj
35. S.Senthilkumar
36. N.Senthilkumar
37. R.Gopalsamy
38. R.Vinothkumar



WEB COPY

... Petitioners

Vs.

1. The Additional Chief Secretary to Government,
Finance (Pay Cell) Department,
Government of Tamilnadu,
Fort St. George, Chennai 600 009.
2. The Agriculture Production Commissioner/
Principal Secretary to Government,
Agriculture Department,
Fort St. George,
Chennai 600 009.
3. The Director of Agriculture,
Chepauk, Chennai 600 005.
4. The Director of Horticulture,
Chepauk, Chennai 600 005.
5. The Director of Agricultural Marketing &
Agri Business,
Thiru.V.K.Industrial Estate,
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 Respondents to re-fix the Petitioners' basic pay as Rs.7,440/- instead of Rs.5,200/- from the date of joining of the Petitioners as Assistant Agricultural Officers and Assistant Horticultural Officers in accordance with VI Central Pay Commission entry pay fixation method and consequently direct the Respondents to grant all consequential benefits including arrears of pay and allowances by considering the representation of the petitioners dated 30.01.2021.

For Petitioners : Mr.M.Vallinayagam,
Senior Counsel
for Mr.M.Gnanagurunathan

For Respondents : J.Pothiraj,
Special Government Pleader

O R D E R

Petitioners have come up with the present Writ Petition seeking a direction to the Respondents to re-fix their basic pay as Rs.7,440/- instead of Rs.5,200/- from the date of their joining as Assistant Agricultural Officers and Assistant

Horticultural Officers in accordance with VI Central Pay Commission entry pay fixation method and for a consequential direction to the Respondents to grant all consequential benefits including arrears of pay and allowances by considering their representation dated 30.01.2021.

2. Mr.J.Pothiraj, learned Special Government Pleader takes notice on behalf of the respondents.

3. By consent of both parties, the writ petition is taken up for final disposal at the admission stage itself.

4. It is stated by the Petitioners that, they have filed their objections to Chief Minister's Cell on 07.05.2018 regarding the vertical cell difference of 11 stages between them and the candidates appointed in the year 2009 in the pay matrix which is mentioned in Schedule III of Tamil Nadu Revised Scale of Pay Rules, 2017, which is causing great difference in the scale of pay.

5. Considering the facts and circumstances of the case, this Court directs the Respondents herein to consider the representation dated 30.01.2021 made by the Petitioners herein as regards re-fixation of their basic pay, and pass appropriate orders on merits and in accordance with law, within a period of three months from the date of receipt of a copy of this order.

6. Petitioners shall furnish their phone number, Email ID, if any, etc., along with a copy of their representation and a copy of this order to the Respondents, forthwith. Respondents are directed to communicate the decision taken on their representations, to the Petitioners within a period of three weeks from the date of decision taken thereon, by way of SMS/Email/Registered Post/Speed Post, so that there is no need for the parties to file a Contempt Petition after expiry of the specified period. In case, Authorities concerned fail to send communication to the parties, they will have to face civil imprisonment in case of contempt proceedings and, if they are unable to serve the order and the cover being returned unserved for one reason or the other, the same shall be kept in the file without opening it for the sake of proof of delivery, so that the parties, at a later point of time, will not take a plea that, they are not aware of the order of this Court.

7. This Writ Petition is disposed of with the above direction. No costs.

Sd/-
Assistant Registrar(CS VII)

//True Copy//

Sub Assistant Registrar

rsi

To:

1. The Additional Chief Secretary to Government,
Finance (Pay Cell) Department,
Government of Tamilnadu,
Fort St. George, Chennai 600 009.
2. The Agriculture Production Commissioner/
Principal Secretary to Government,
Agriculture Department,
Fort St. George,
Chennai 600 009.
3. The Director of Agriculture,
Chepauk, Chennai 600 005.
4. The Director of Horticulture,
Chepauk, Chennai 600 005.
5. The Director of Agricultural Marketing &
Agri Business,
Thiru.V.K.Industrial Estate,
Guindy, Chennai 600 032.

+lcc to M/s.M.Gnanagurunathan, Advocate Sr.16936
+lcc to the Government Pleader Sr.17341

W.P.No.6694 of 2021

pp[co]
srg 14/07/2021