

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25.03.2021

CORAM

THE HONOURABLE MR.JUSTICE S.VAIDYANATHAN

W.P.No.7778 of 2021

Md Abid Mansuri

... Petitioner

-vs-

1. The Director General,
Central Industrial Security Force,
Head Quarters,
CGO Complex, Lodhi Road,
New Delhi 110 003.
2. The Inspector General,
Central Industrial Security Force,
South Sector, Headquarters,
Chennai 600 001.
3. The Deputy Commandant,
Central Industrial Security Force Unit,
Salar Jang Museum,
Hydrabad,
Telungana - 500 002.

... Respondents

Writ Petition filed under Article 226 of Constitution of India praying for the issuance of a Writ of Mandamus, directing the first respondent to pass an order on the representation of the petitioner dated 17.02.2021 and further direct the first respondent to re-fix the petitioner pay fixation at Rs.7,510/- with Grade Pay Rs.2,400/- at par with similarly categorised batch mates from the effect of 6th Central Pay Commission (01.01.2006) with all monetary benefits of arrears.

For Petitioner : Mr.R.Thiyagarajan

For Respondents : Mr.C.Kulanthaivel,
Sr.Panel Counsel (SPC)

ORDER

This writ petition has been filed, seeking a direction to the first respondent to pass an order on the representation of the petitioner dated 17.02.2021 and further direct the first

respondent to re-fix the petitioner pay fixation at Rs.7,510/- with Grade Pay Rs.2,400/- at par with similarly categorised batch mates from the effect of 6th Central Pay Commission (01.01.2006) with all monetary benefits of arrears.

2. Mr.C.Kulanthaivel, learned counsel takes notice for respondents. By consent of both sides, final orders are passed in the writ petition.

3. It is the case of the petitioner that the petitioner was initially appointed in the rank of Head Constable / Driver in the pay scale of Rs.3200-85-4900 in CISF in the year 1996. It is the grievance of the petitioner that the basic pay of the petitioner has not been re-fixed as per the 6th Central Pay Commission (01.01.2006), at par with the similarly categorized employees who are getting Basic Pay of Rs.7,510/- with Grade Pay Rs.2,400/-. It is stated that the petitioner is availing Basic pay of Rs.6,750/- instead of Rs.7,510/-. Hence, he made a representation before the 1st respondent on 17.02.2021, requesting to re-fix the basic pay in the light of the Order passed by the High Court of Delhi, made in W.P.No.10660 of 2016 dated 30.11.2018. As there is no steps taken by the 1st respondent, the petitioner preferred this present writ petition with the aforesaid relief.

4. It is seen that there was a rejection order passed by the 3rd Respondent as early as on 03.03.2021 and according to the petitioner, the said order dated 03.03.2021 is a non-speaking order, which has not been admittedly questioned by the petitioner. This Court is of the view that issuance of a direction to the respondents to consider the representation of the petitioner will not help the petitioner. Therefore, a direction is issued to the 3rd respondent to furnish a copy of the order dated 03.03.2021 to the petitioner within a period of seven working days from the date of receipt of a copy of this order in order to enable him to challenge the said order in accordance with law, if not already communicated through proper mode, namely, SMS/Email/registered post/speed post.

5. With the above direction, this writ petition is disposed of. No costs.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

dpq

To

1. The Director General,
Central Industrial Security Force,
Head Quarters,
CGO Complex, Lodhi Road,
New Delhi 110 003.

2. The Inspector General,
Central Industrial Security Force,
South Sector, Headquarters,
Chennai 600 001.

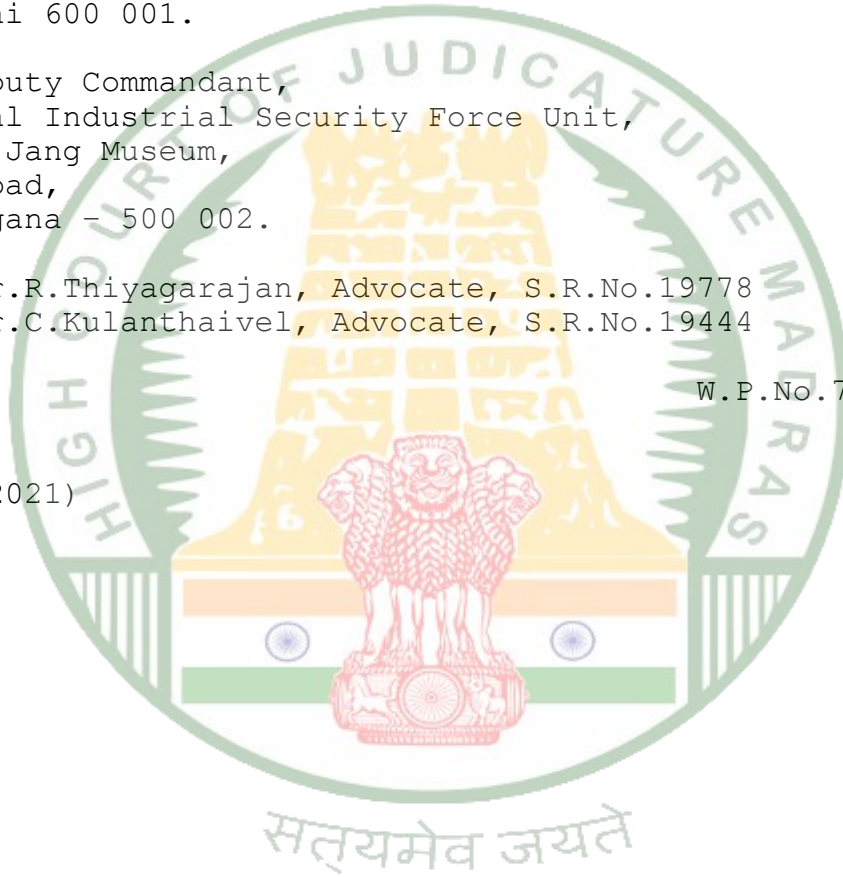
3. The Deputy Commandant,
Central Industrial Security Force Unit,
Salar Jang Museum,
Hydrabad,
Telungana - 500 002.

+1cc to Mr.R.Thiyagarajan, Advocate, S.R.No.19778

+1cc to Mr.C.Kulanthaivel, Advocate, S.R.No.19444

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LN(CO)
CB(14/07/2021)



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