

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 23.02.2021
CORAM

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P.No.9357 of 2015
&
W.M.P.No.7943 of 2020

1. S.Srinivasan
2. A.Loganathan
3. M.P.Venkidusamy
4. K.Manogaran
5. S.Sitheswaraprasath
6. V.Elangovan
7. P.Chinnaraj
8. P.Muthuraj
9. V.Srinivasan
10. R.Manikkam
11. Arumugam
12. S.Jayakumar Jesuthasan

.... Petitioners

Vs

1. The Principal Secretary to Government,
Finance Department (Pay Cell),
Secretariat, Chennai - 600 009.
2. The Principal Secretary to Government,
Environment & Forest Department,
Chennai - 600 009.
3. The Principal Chief Conservator of Forest,
(Head of the Forest Department)
Panagal Maligai, Anna Salai,
Saidapet, Chennai - 15.
4. The Conservator of Forest,
Vellore Circle, Vellore,
Pin-632 009.
5. The Conservator of Forest,
Coimbatore Circle,
Coimbatore - 641 043.

6. The Conservator of Forest & FD Director,
Sathiamanglam Tiger Reserve,
Erode Circle, Erode - Pin 638 004.
7. The Conservator of Forest,
Salem Circle, Salem,
Pin 636 121.
8. The Conservator of Forest,
Dharmapuri Circle,
Dharmapuri, Pin 636 705.
9. The Conservator of Forest,
Virudhunagar Circle,
Virudhunagar, Pin 626 002.
10. The Conservator of Forest,
Viluppuram Circle,
Viluppuram, Pin 605 602.
11. The District Forest Officer,
Nilgiri North Division,
Nilgiri District, Pin-643 001.
12. The District Forest Officer,
Author Division Kattukottai Pudur,
Author (TK) Salem (Dt.),
Pin - 636 121.
13. The Deputy Director of Tiger Project,
Ambasamuthram, Tirunelveli District,
Tirunelveli, Pin 627 401.
14. The Deputy Director of Tiger Project,
Kalakad, Tirunelveli District,
Tirunelveli, Pin - 627 501.
15. The District Forest Officer,
Tirunelveli District,
Tirunelveli, Pin - 627 001.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents 1 & 2 to enhance the Grade pay of the Petitioners who are working as Technicians/Wireless operators in the Forest Department of Tamilnadu from Rs.2400 to Rs.2800 and pass orders.

For Petitioners : Mr.K.Thilageswaran
For Respondents : Mr.M.Elumalai, AGP (F)

ORDER

Heard both sides and perused the records brought on record.

2.The Petitioners have come up with this Writ Petition seeking a direction to the respondents 1 & 2 to enhance their Grade pay from Rs.2400/- to Rs.2800/-, who are working as Technicians/Wireless operators in the Forest Department.

3.According to the petitioners, they entered into the service of the Forest Department as Wireless Technicians/Wireless Operators, on the basis of the proceedings in Se.Mu.Aa.No.4963/07 A1 dated 09.09.2008 issued by the fourth respondent. At the time of appointment, the pay of the petitioners was fixed in the scale of Rs.4000-100-6000. While so, the Government issued G.O.No.234 Finance (Pay Cell) dated 01.06.2009 revising the pay scale as Rs.5200-20200 + Grade pay Rs.2400/- with effect from 01.01.2006. Subsequently, the Government issued another G.O.(standing)No.45, dated 10.02.2011, increasing the Grade pay to Rs.2800/- in respect of Assistant and Stenographer Grade III and the same was also extended to the post of Radio Supervisor, vide G.O.Ms.No.316 dated 26.08.2010. However, the said benefits have not been extended to the petitioners. Hence, they submitted a representation dated 23.04.2012 to the third respondent, who by his proceedings in Na.Ka.No.S1/20268/2012 dated 05.11.2012, forwarded the same to the second respondent. Finding no response on the same, the petitioners have filed the present writ petition for the aforesaid relief.

4.Upon notice, the fourth respondent filed a detailed counter affidavit, inter alia stating that the petitioners' pay and allowances were fixed as per the guidelines of the Government, upon acceptance of the recommendations of the Sixth Pay Commission and One Man Commission. However, it is specifically stated therein that the third respondent sent a proposal with regard to revision of Grade pay of the petitioners to the Government and the same is awaiting for orders.

5.In the light of the specific averments made in the counter affidavit filed by the fourth respondent, this Court finds it appropriate to direct the respondents 1 and 2 to consider the proposal sent by the third respondent as regards the claim of the petitioners, revising Grade pay to Rs.2800/-, if not already

considered, and pass appropriate orders, on merits, within a period of eight weeks from the date of receipt of a copy of this order.

6. Accordingly, the writ petition stands disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Asst.Registrar (CS III)

/true copy/

Sub Asst. Registrar

av

To

1. The Principal Secretary to Government,
Finance Department (Pay Cell),
Secretariat, Chennai - 600 009.
2. The Principal Secretary to Government,
Environment & Forest Department,
Chennai - 600 009.
3. The Principal Chief Conservator of Forest,
(Head of the Forest Department)
Panagal Maligai, Anna Salai,
Saidapet, Chennai - 15.
4. The Conservator of Forest,
Vellore Circle, Vellore,
Pin-632 009.
5. The Conservator of Forest,
Coimbatore Circle,
Coimbatore - 641 043.
6. The Conservator of Forest & FD Director,
Sathiamanglam Tiger Reserve,
Erode Circle, Erode - Pin 638 004.
7. The Conservator of Forest,
Salem Circle, Salem,
Pin 636 121.

8. The Conservator of Forest,
Dharmapuri Circle,
Dharmapuri, Pin 636 705.
9. The Conservator of Forest,
Virudhunagar Circle,
Virudhunagar, Pin 626 002.
10. The Conservator of Forest,
Viluppuram Circle,
Viluppuram, Pin 605 602.
11. The District Forest Officer,
Nilgiri North Division,
Nilgiri District, Pin-643 001.
12. The District Forest Officer,
Authur Division Kattukottai Pudur,
Authur (TK) Salem (Dt.),
Pin - 636 121.
13. The Deputy Director of Tiger Project,
Ambasamuthram, Tirunelveli District,
Tirunelveli, Pin 627 401.
14. The Deputy Director of Tiger Project,
Kalakad, Tirunelveli District,
Tirunelveli, Pin - 627 501.
15. The District Forest Officer,
Tirunelveli District,
Tirunelveli, Pin - 627 001.

+1 cc to M/s.T.Dharani Advocate sr11525
+1 cc to Special Government Pleader(Forests) sr10884

सत्यमेव जयते

W.P.No.9357 of 2015
&

W.M.P.No.7943 of 2020

WEB COPY

gpl(co)
aa31/03/2021