

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.05.2021

CORAM

THE HON'BLE MR.JUSTICE R.SURESH KUMAR

W.P.No.11712 of 2021
and W.M.P.No.12469 of 2021

S.Arul

.... Petitioner

Vs

Tamilnadu Agricultural University
Rep.by its Registrar, Office of the Registrar
Coimbatore-641 003.

.... Respondent

Prayer : Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the Respondent to pay salary meant for senior Tractor Driver to the petitioner together with arrears or permit him to discharge the duties by driving normal vehicles viz Car or Jeep of the Respondent University as discharged by other Drivers appointed/ working along with the petitioner.

For Petitioner : Mr.S.Saravana Kumar

For Respondents : Mr.Abdul Saleem
Standing Counsel

O R D E R

The prayer sought for herein is for a Writ of Mandamus directing the Respondent to pay salary meant for senior Tractor Driver to the petitioner together with arrears or permit him to discharge the duties by driving normal vehicles viz Car or Jeep of the Respondent University as discharged by other Drivers appointed/ working along with the petitioner.

2. The petitioner had been appointed as Driver at the respondent University on 15.02.2007 and had been posted at Vriddhachalam. Since then, he had been working as Driver.

3. It is the case of the petitioner that, though he has completed 14 years of service, where he worked as Tractor Driver as well as Jeep Driver, the pay benefits after 10 years of completion of service by way of Selection Grade has not been conferred on the petitioner and his further grievance is with regard to the pay disparity and therefore, in this regard in

order to rectify the same the petitioner had given a representation to the respondent on 07.04.2021. Since the same has not been considered by the respondent University, the petitioner has approached this Court with the present writ petition with the aforesaid prayer.

4. Heard Mr.S.Saravana Kumar, learned counsel appearing for the petitioner, who, after having reiterated the aforesaid facts, would seek the indulgence of this Court to give suitable direction to the respondent to consider the representation of the petitioner on merits and in accordance with law within a time frame.

5. Heard Mr.Abdul Saleem, learned Standing Counsel appearing for the University, who would submit that, in the said representation he made two requests, one is for pay parity and another is for transfer. Insofar as transfer is concerned, it is not a matter of right and depending upon the administrative exigency alone transfer can be effected. Insofar as the other issue viz., alleged disparity in pay, the representation would be considered on merits and in accordance with law within the time frame stipulated by this Court.

6. Considering the aforesaid facts and by taking into account the submissions made by the learned Standing Counsel appearing for the respondent University, this Court is inclined to dispose of this writ petition with the following order.

"That there shall be a direction to the respondent University to consider the representation of the petitioner dated 07.04.2021 and pass orders on merits and in accordance with law within a period of eight weeks from the date of receipt of a copy of this order."

7. With the above directions, this writ petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

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Sd/-
Assistant Registrar
(Vacation Officer)

//True Copy//

Sub Assistant Registrar

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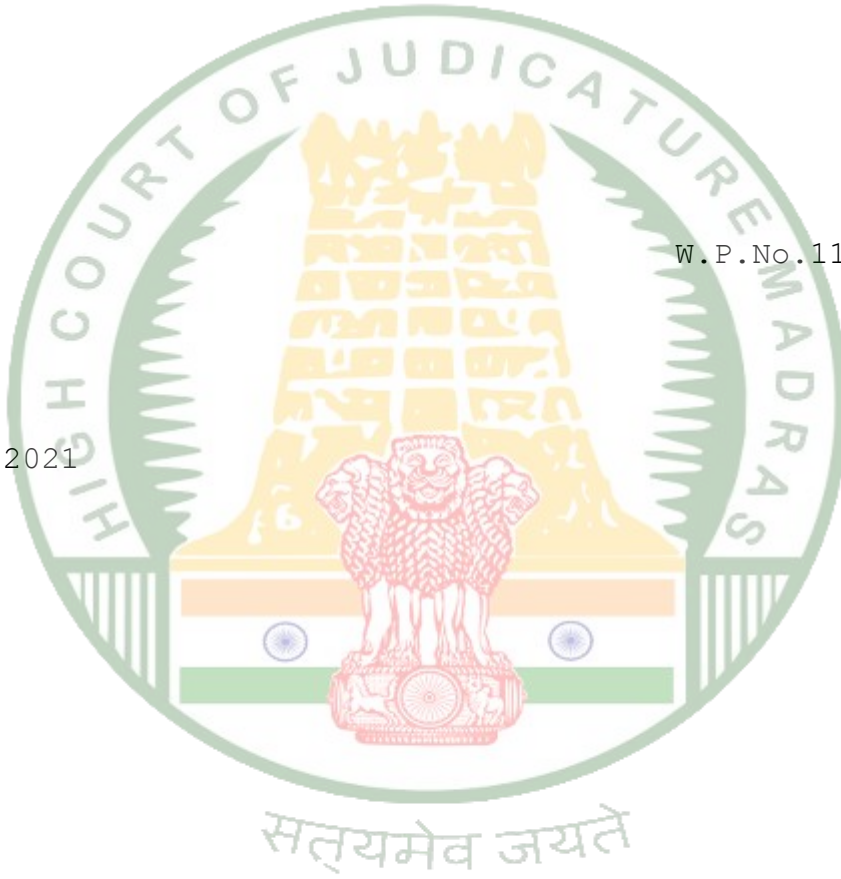
To

The Registrar,
Tamilnadu Agricultural University
Office of the Registrar
Coimbatore-641 003.

+cc to Mr.S.Saravana Kumar, Advocate, Sr.27207

W.P.No.11712 of 2021

SR(CO)
baf 17/05/2021



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