



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.03.2021

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THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P.No.9521 of 2014

1. B.Djivanandan
2. P.Sivaprakash
3. L.Tirougnanassambandame ... Petitioners
Vs

Pandit Jawaharlal Nehru College of
Agriculture and Research Institute,
rep.by its Dean, Karaikal,
Puducherry. ... Respondent

Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondent to implement the revised pay scale of Rs.5,000-8,000 to the petitioners with effect from the date of regularization of their services in the post of Work Assistant with arrears and all other consequential benefits.

For Petitioners: Mr.V.Ajayakumar

For Respondent : Mr.M.T.Arunan

ORDER

The Petitioners have come up with this Writ Petition seeking a direction to the respondent to implement the revised pay scale of Rs.5,000-8,000 to the petitioners with effect from the date of regularization of their services in the post of Work Assistant with arrears and all other consequential benefits.

2.According to the petitioners, they are working as Work Assistants in the respondent Institute. Earlier, nearly 175 persons appointed as Technical Assistants on daily wage basis in the Public Works Department, Puducherry approached the Tribunal for regularization of their services by filing O.A.No.917 of 2006, which was dismissed on 10.06.2009; challenging the same, they filed WP.No.20377 of 2009, which was allowed by a Division Bench of this Court vide order dated 25.01.2011; the Government went on appeal, which ended in dismissal by the Supreme Court; thereafter, the said order was implemented by the Government by G.O.Ms.No.13, Chief Secretariat (Works), Puducherry, dated



28.03.2013, thereby granting revision of pay scale of Rs.5000-150-8000 in lieu of the existing pay scale of Rs.4000-100-6000 to the post of Work Assistant in Public Works Department, Puducherry with effect from the date of regularisation of the incumbents officiating in the post. As such, the petitioners who are also performing the same duties and responsibilities and also possess the same qualification, are entitled for the same benefit of revision of pay as that of their counterparts in the Public Works Department. Seeking the said relief, the petitioners have preferred this writ petition for the aforesaid relief.

3.The learned counsel for the petitioners submitted that the petitioners already made a representation dated 05.11.2013 for the relief as stated in this writ petition and it would suffice, if the said representation is directed to be considered by the respondent, in the light of the aforesaid earlier orders passed by this Court as well by the Government of Puducherry, within a time frame to be stipulated by this Court.

4.There is no serious objection on the side of the respondent for granting such relief to the petitioners.

5.In view of the limited relief now sought by the learned counsel for the petitioners, which has not been seriously opposed by the learned counsel for the respondent, this Court directs the respondent to consider the representation of the petitioners dated 05.11.2013 seeking revision of pay scale, if not already considered and pass appropriate orders, on merits and in accordance with law and also in the light of the aforesaid order dated 25.01.2011 passed by the Division Bench of this Court in WP.No.20377 of 2009, which was implemented by the Government in respect of the similarly placed persons in the Public Works Department, by G.O.Ms.No.13, Chief Secretariat (Works), Puducherry, dated 28.03.2013. Such an exercise shall be completed within a period of four weeks from the date of receipt of a copy of this order.

6.With the aforesaid direction, this writ petition stands disposed of. No costs.

Sd/-

Assistant Registrar (CS-III)

//True Copy//

Sub Assistant Registrar

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To

The Dean, Pandit Jawaharlal Nehru College of
Agriculture and Research Institute,
Karaikal, Puducherry.

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+1cc to Mr.M.T.Arunan, Advocate, S.R.No. 17079

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GSM(CO)
GN(20/07/2021)