

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.01.2021

CORAM

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P.No.18540 of 2014

M.Gunasekaran

... Petitioner

Vs

1. The Director,  
Commissioner of Municipal Administration and  
Water Supply Department,  
Chepauk, Chennai 600 005.
2. The Director of Local Fund Audit,  
Kuralogom IV Floor,  
Chennai 600 108.
3. The Municipal Commissioner,  
Namakkal,  
Namakkal District.

... Respondents

Writ Petition is filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus, directing the respondent to pass orders on the recommendation letter of 3rd respondent sent to the 1st respondent in proceeding No.ந.க.எண் 95/2008/அ3 dated 23.05.2014 within a date fixed by this Hon'ble Court and consequently direct the third respondent to pay all attended benefits to the petitioner with 12% interest compound annually.

For Petitioner : Mr.A.R.Nixon

For R1 & R2 : Mr.P.Chinnadurai, AGP

For R3 : Mr.P.Srinivas

ORDER

The Petitioner has come up with this Writ Petition seeking a direction to the first respondent to pass orders, on the recommendation sent by the third respondent to the first respondent by proceedings in ந.க.எண் 95/2008/அ3 dated 23.05.2014.

2. According to the learned counsel for the Petitioner, the petitioner retired from service on 30.04.2008 as Sanitary Inspector at Namakkal Municipality and he was sanctioned pensionary benefits belatedly, that too, after obtaining necessary orders from this Court. Thereafter, stating disparity in the fixation of scale of pay between him and his junior K.Nadarajan, the petitioner approached the first respondent requesting to rectify the same and consequently, pay pension and other benefits. The third respondent also sent a communication in this regard. However, no fruitful result is forthcoming from the first respondent. Hence, this writ petition.

3. On the other hand, the learned Additional Government Pleader fairly submitted that the first respondent would consider the claim of the petitioner and pass orders, on merits, within a reasonable time to be fixed by this Court.

4. Considering the facts and circumstances of the case and having regard to the submissions made by the learned counsel on either side, this Court, without going into the merits of the case, directs the first respondent to pass appropriate orders, on the communication bearing Na.Ka.No.95/2008/A3 dated 23.05.2014 sent by the third respondent, with regard to the claim of the petitioner pertaining to fixation of pay on par with his junior K.Nadarajan, within a period of eight six (6) weeks from the date of receipt of a copy of this order.

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

Sd/-

Assistant Registrar(CS III)

//True Copy//

सत्यमेव जयते  
Sub Assistant Registrar

av

To

1. The Director,  
Commissioner of Municipal Administration and  
Water Supply Department,  
Chepauk, Chennai 600 005.

WEB COPY

2. The Director of Local Fund Audit,  
Kuralogom IV Floor,  
Chennai 600 108.

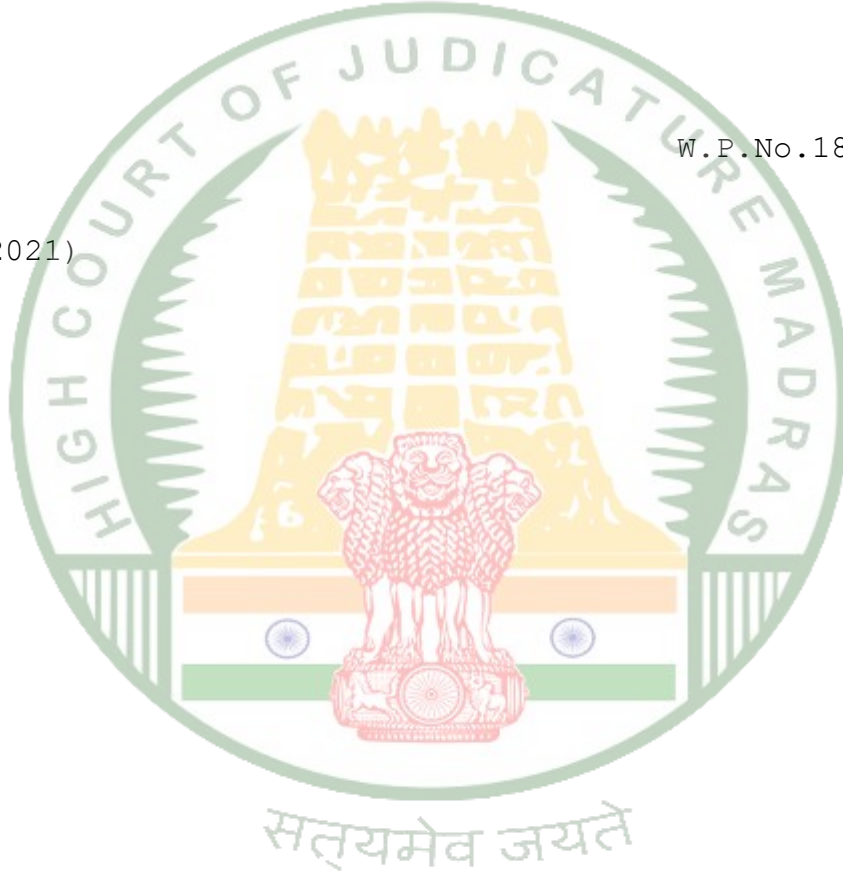
3. The Municipal Commissioner,  
Namakkal,  
Namakkal District.

+1cc to Mr.A.R.Nixon, Advocate, S.R.No.1058

+1cc to the Government Pleader, S.R.No.1247

W.P.No.18540 of 2014

PP (CO)  
KM(28/04/2021)



WEB COPY