

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.01.2021

CORAM

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P.No.8186 of 2014

Shri.M.R.Jayaraaj

... Petitioner

Vs.

1.The Government of India,
Ministry of Railways,
Railway Board,
Represented by its Secretary,
Rail Bhavan,
New Delhi.

2.The Director Security (ABE)
Railway Board,
Ministry of Railways,
Rail Bhavan,
New Delhi.

3.The Chief Security Commissioner,
Railway Protection Force,
Southern Railway,
Moore Market Complex,
Chennai.

4.The Commanding Officer,
(Head Quarters),
5th Battalion, R.P.S.F.,
Tiruchchirappalli,
Tamil Nadu.

... Respondents

Prayer:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents more particularly the third respondent to pass orders on the representation of the petitioner dated 07.05.2013, forwarded by the fourth respondent vide proceedings No.5BN/HQ/AC/PF-MRJ/2013/383 dated 10.06.2013 to the Inspector General / RPSF, Railway Board, New Delhi, which was also forwarded by the second respondent herein to the fourth respondent herein on 27.06.2013 which was again forwarded by the fourth respondent to the third respondent on 03.07.2013 vide proceedings No.5BN/HQ/PF/AC-MRJ/2013/2230 requesting for grant of Grade Pay Rs.6600 as third MACP on par with his colleagues/ batch-mate and the differential amount from Rs.5,400/- to Rs.6,600/- may be granted from the date of 08.03.2005 upto 31.08.2013 (inclusive of all arrears) and the corresponding benefit shall be given effect to in the petitioner's his pension from 01.09.2013 onwards with all the necessary consequential entries in the service register and monetary benefits.

For Petitioner : Mr.K.S.Kumar
For Respondents : Mr.E.Vijay Anand

ORDER

The petitioner has filed this writ petition seeking direction to the respondents, particularly the third respondent to pass orders on the representation of the petitioner dated 07.05.2013.

2.The case of the petitioner is that he was appointed as Sub-Inspector in the Railway Protection Force Security on 08.03.1981 and was promoted as Inspector on 11.05.1989 and vide order dated 16.05.2011 was further promoted as Assistant Commandant in Junior Scale and he retired from service on 31.08.2013. According to the petitioner, he is entitled for Grade pay of Rs.6,600/- as 3rd MACP on par with his colleagues/ batch-mate and differential amount from Rs.5,400/- to Rs.6,600/- from 08.03.2005 to 31.08.2013 and to effect corresponding benefits in his pension from 01.09.2013. In this regard, he made a representation dated 07.05.2013 to the respondents and since the same has not yet been considered, has come forward to file this writ petition.

3.Heard both sides and perused the materials available on record.

4.Considering the limited relief sought for by the petitioner, this Court directs the respondents to consider the petitioner's representation dated 07.05.2013, if not already considered and pass appropriate orders, on merits and in accordance with law, as

expeditiously as possible, in any event, within a period of six weeks from the date of receipt of a copy of this order.

5.This writ petition is accordingly disposed of. No costs.

27.01.2021

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Speaking Order/ Non Speaking Order
Index: Yes/ No
Internet: Yes/ No

To

1.The Ministry of Railways,
Railway Board,
Represented by its Secretary,
Rail Bhavan, New Delhi.

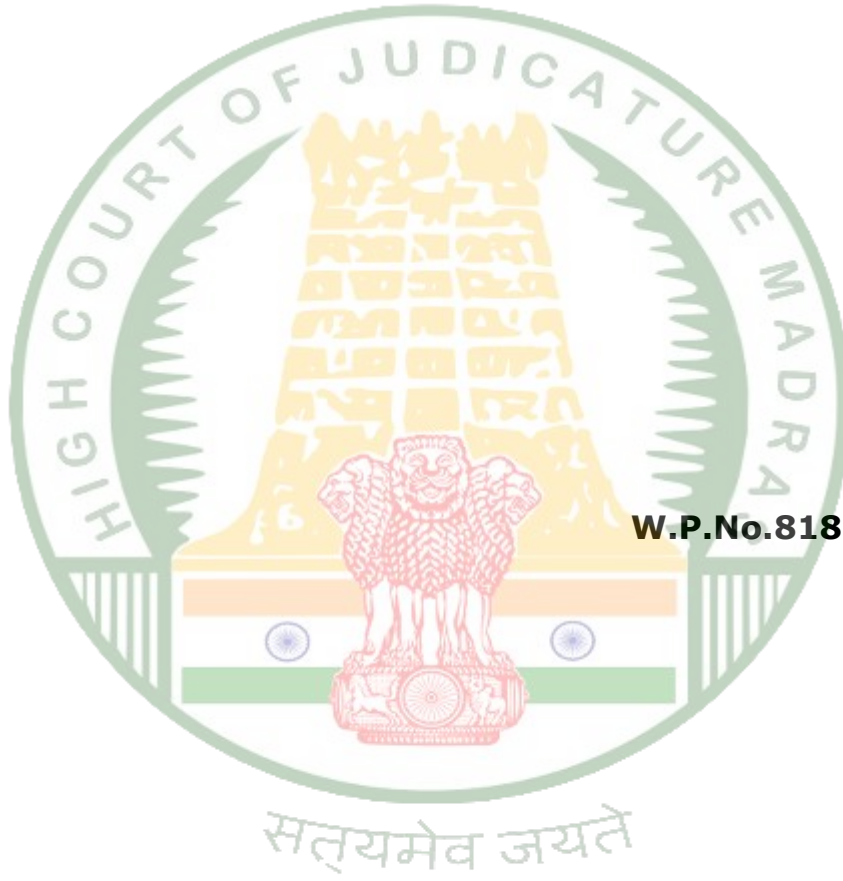
2.The Director Security (ABE)
Railway Board,
Ministry of Railways,
Rail Bhavan,
New Delhi.

3.The Chief Security Commissioner,
Railway Protection Force,
Southern Railway,
Moore Market Complex,
Chennai.

4.The Commanding Officer,
(Head Quarters),
5th Battalion, R.P.S.F.,
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R.MAHADEVAN,J.
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