



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 26.04.2021

CORAM:

THE HONOURABLE MS.JUSTICE V.M.VELUMANI

W.P (MD)No.8505 of 2021

WEB COPY

G.Ramachandran

... Petitioner

vs.

The Commissioner,
Kovilpatti Municipality,
Thoothukudi District.

... Respondent

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the respondent to disburse the payment of revised pay scale arrears from the year 2012 to till date along with accrued interest by considering the representation of the petitioner, dated 20.01.2020.

For Petitioner : Mr.S.Ramasamy

For Respondent : Mr.J.Parekh Kumar

ORDER

This Writ Petition is filed seeking a Writ of Mandamus, directing the respondent to disburse the payment of revised pay scale arrears to the petitioner from the year 2012 till date along with accrued interest, by considering his representation, dated 20.01.2020.

2.Mr.J.Parekh Kumar, learned counsel accepts notice on behalf of the respondent.

3.By consent of both parties, the Writ Petition is taken up for final disposal at the stage of admission itself.

4.According to the petitioner, he joined as an Accountant in the respondent Municipality and retired from service on attaining the age of superannuation on 31.05.2008 without any remarks. As per the recommendation of the Fifth and Sixth Pay Commission, there was a revised pay scale arrears of some amount to be payable to the petitioner with interest. The petitioner is also entitled to arrears towards earned and unearned leave. In this regard, the petitioner has sent a representation, dated 20.01.2020 to the respondent. But, so far, the respondent has not passed any order. Hence, the petitioner has come out with the present Writ Petition.



5. Heard the learned counsel appearing for the petitioner and the learned counsel appearing for the respondent.

6. From the materials available on record, it is seen that in the representation, dated 20.01.2020, the petitioner has stated that the first and second installment of arrears were paid to him, but the third installment arrears amount Rs.46,631/- in the year 2011-12, was not paid to him.

7. Considering the facts and circumstances of the case, without deciding the issue on merits, the respondent is directed to consider the representation of the petitioner, dated 20.01.2020 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.

8. With the above direction, the Writ Petition is disposed of. No costs.

Sd/-

Assistant Registrar(Writs)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

ps

Note :

In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate / litigant concerned.

To
The Commissioner,
Kovilpatti Municipality,
Thoothukudi District.

+1 CC to M/s.P.SRINIVAS, Advocate (SR-17886[F] dated 28/04/2021)

W.P (MD) No. 8505 of 2021
26.04.2021

ARK(CO)
TR(19.05.2021) 2P 3C