



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 27.04.2021

CORAM:

THE HONOURABLE MS.JUSTICE V.M.VELUMANI

W.P(MD)No.8502 of 2021

S.Chandrasekaran

... Petitioner

vs.

1.The Secretary to Government,
Finance (Pay Cell) Department,
Government of Tamil Nadu,
Fort St. George,
Chennai - 600 009.

2.The Director (FACT),
Directorate of Technical Education,
Guindy, Chennai - 600 025.

3.The Deputy Director,
Local Fund Audit,
Madurai Kamaraj University,
Madurai.

4.The Registrar,
Madurai Kamaraj University,
Palkalai Nagar,
Madurai - 625 021.

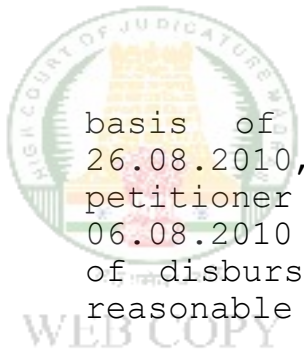
... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the respondents herein to pay the revised pay at Rs.9,300-34,800 + 4,200 with effect from 06.08.2010 as approved by the Syndicate of the fourth respondent in its resolution dated 24.05.2019 on the basis of G.O.Ms.No.329, Finance (Pay Cell) Department, dated 26.08.2010 seeking to implement revision of pay and pay the petitioner with all arrears of revised pay with effect from 06.08.2010 together with interest at 7.5% till the date of disbursement and all consequential monetary benefits within a reasonable time.

For Petitioner	: Mr.K.Appadurai
For RR 1 & 2	: Mr.M.Murugan Additional Advocate
For RR 3 & 4	: Mr.K.Ragatheesh Kumar for M/s.Isaac Chambers

ORDER

This Writ Petition is filed seeking a Writ of Mandamus, directing the respondents to pay the revised pay at Rs.9,300-34,800 + 4,200 with effect from 06.08.2010 as approved by the Syndicate of the fourth respondent in its resolution, dated 24.05.2019, on the



basis of G.O.Ms.No.329, Finance (Pay Cell) Department, dated 26.08.2010, seeking to implement revision of pay and pay the petitioner with all arrears of revised pay with effect from 06.08.2010 together with interest at the rate of 7.5% till the date of disbursement and all consequential monetary benefits within a reasonable time.

2. Heard the learned counsel appearing for the petitioner; the learned Government Advocate appearing for the respondents 1 & 2 and the learned counsel appearing for the respondents 3 and 4.

3. According to the petitioner, he was appointed as Work Inspector and Technical Assistant in the Engineering Department of the fourth respondent University on 01.10.1988, on a consolidated pay and he was absorbed into the University on permanent basis, by resolution, dated 14.11.2005 and thereafter, he was promoted as Draughtsman, by resolution, dated 01.07.2010 in the pay scale of Rs.5,200-20,000/- with Grade Pay of Rs.2,400/-. During the year 2009, there was revision of pay scale of all the Government Employees. Thereafter, One Man Commission was appointed and obtained opinion. Based on the opinion and recommendation of the One Man Commission for revision of pay to the Government Employees, Government Orders were issued in various Departments for implementing the revision of pay recommended by the One Man Commission. The first respondent issued G.O.Ms.No.329, Finance (Pay Cell) Department, dated 26.08.2010 for revision of scale of pay of certain categories in Technical Education Department and other Departments. Accordingly, pay scale of Draughtsman Grade-III was revised to Rs.9,300-34,800+4,200 giving notional effect from 01.01.2006 and monetary benefit will be given from 01.08.2010. But, the petitioner was not given the above revision of scale of pay on his promotion to the post of Draughtsman from 06.08.2010, but he was given only old pay scale prior to the revision of pay in 2009. On the representation given by the petitioner, the fourth respondent sought opinion from the second respondent and second respondent by reply, dated 07.12.2016, informed the fourth respondent that the revised pay scale of Draughtsman Grade-III, in which the petitioner is working is Rs.9,300-34,800+G.P 4200, as per the recommendation of One Man Commission and implemented by G.O.Ms.No.329, Finance (Pay Cell) Department, dated 26.08.2010. Subsequently, an agenda was placed before the Syndicate meeting, dated 24.05.2019, by Establishment Section-I of the fourth respondent for revision of scale of pay to the petitioner. The Syndicate of the fourth respondent in its meeting, dated 24.05.2019, passed a resolution to revise the pay scale of the petitioner to Rs.9,300-34,800+G.P 4200 with effect from 06.08.2010, as per G.O.Ms.No.329, Finance (Pay Cell) Department, dated 26.08.2010 and the same was approved by the Syndicate of the fourth respondent. Therefore, the petitioner gave representation to the fourth respondent on 29.09.2020. Since no action has been taken, the



petitioner has come out with the present Writ Petition.

4.The grievance of the petitioner is that inspite of the reply of the second respondent and the resolution of the Syndicate, the pay scale of the petitioner was not revised.

5.Considering the above facts, the fourth respondent is directed to consider the representation of the petitioner, dated 29.09.2020, taking into consideration the reply of the second respondent, dated 07.12.2016 and also the resolution of the Syndicate, dated 24.05.2019 and pass appropriate orders with regard to revision of scale of pay to the petitioner on merits and in accordance with law, within a period of four weeks from the date of receipt of a copy of this order.

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

Sd/-

Assistant Registrar (Records)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

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

- 1.The Secretary to Government,
Finance (Pay Cell) Department,
Government of Tamil Nadu,
Fort St. George, Chennai - 600 009.
- 2.The Director (FACT),
Directorate of Technical Education,
Guindy, Chennai - 600 025.
- 3.The Deputy Director,
Local Fund Audit,
Madurai Kamaraj University,
Madurai.



4.The Registrar,
Madurai Kamaraj University,
Palkalai Nagar,
Madurai - 625 021.

+1 CC to M/s.K.APPADURAI, Advocate(SR-17785[F] dated 28/04/2021)

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27.04.2021

ES (CO)
KB(13.05.2021) 4P 6C