



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 17.06.2021

CORAM:

THE HONOURABLE MS.JUSTICE V.M.VELUMANI

W.P(MD)Nos.10234 & 10236 of 2021

WEB COPY

R.Sangarappan

... Petitioner in W.P(MD)No.10234/2021

Syed Ahamed

... Petitioner in W.P(MD)No.10236/2021

vs.

The Commissioner,
Aruppukottai Municipality,
Virudhunagar District.

... Respondent in both W.Ps'

Common Prayer: Writ Petitions filed under Article 226 of the Constitution of India for issuance of Writs of Mandamus, directing the respondent to disburse the payment of revised pay scale arrears and arrears in 5th Pay Commission along with accrued interest by considering the petitioners' representation, dated 01.08.2019 and 29.03.2019, respectively, within a time frame fixed by this Court.

For Petitioner : Mr.S.Ramasamy
(In both W.Ps')

For Respondent : Mr.N.Dilip Kumar
(In both W.Ps')

COMMON ORDER

These Writ Petitions are filed seeking Writs of Mandamus, directing the respondent to disburse the payment of revised pay scale arrears and arrears in 5th Pay Commission along with accrued interest by considering the petitioners' representations, dated 01.08.2019 and 29.03.2019, respectively, within the time frame to be fixed by this Court.

2.Mr.N.Dilip 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 petitioners, the petitioner in W.P(MD) No.10234 of 2021 was appointed as a Revenue Assistant in the respondent-Municipality on 04.12.1976 and retired from service on 31.03.2004 and the petitioner in W.P(MD)No.10236 of 2021 was appointed as a Revenue Assistant in the respondent-Municipality on 20.07.1964 and retired from service on 31.12.2000 and they are entitled to receive the revised pay scale arrears as well as arrears in 5th Pay Commission. Further, according to the petitioners,



similarly placed persons were paid revised pay scale arrears as well as arrears in 5th Pay Commission. In such circumstances, the petitioners have sent representations, dated 01.08.2019 and 29.03.2019, respectively, to the respondent. So far no action has been taken on the side of the respondent, the petitioners have come out with the present Writ Petitions.

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

6. Considering the facts and circumstances of the case, without deciding the issue on merits, it is suffice to direct the respondent to consider the representations of the petitioners, dated 01.08.2019 and 29.03.2019, respectively, and pass appropriate orders on merits and in accordance with law within a period of twelve weeks from the date of receipt of a copy of this order.

7. With the above direction, these Writ Petitions are disposed of. No costs.

Sd/-

Assistant Registrar(CS-II)

// 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,
Aruppukottai Municipality, Virudhunagar District.

+2 CC to M/s.N.DILIP KUMAR, Advocate (SR-19497 & 19498)

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nsm(CO)

TR(28.06.2021) 2P 4C

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