



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 10.02.2021

CORAM:

THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P. (MD) No.2711 of 2018

B.S.Kanthamaran

... Petitioner

vs.

1. The State of Tamil Nadu,
Represented by the Secretary to Government,
Department of Animal Husbandry, Dairying and Fisheries,
Fort St.George, Chennai-600 009.
2. The Director of Animal Husbandry and Veterinary Services,
Central Office Buildings, B-11,
Chennai-600 006.
3. The Regional Joint Director of Animal Husbandry,
Regional Office of Department of Animal Husbandry
and Veterinary Services,
Thanjavur.

... Respondents

PRAYER: Writ Petitions filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondents to step up the pay and accord incremental benefits on par with Mr.P.Srinivasan as on 05.10.1990 and consequently direct to pay the arrears of the pay / salary, retiral benefits and revised pension based upon stepping up of pay.

For Petitioner : Mr.K.C.Maniyarasu

For R-1 to R-3 : Mrs.J.Padmavathi Devi
Special Government Pleader

O R D E R

Heard Mr.K.C.Maniyarasu, learned counsel for the petitioner and Mrs.J.Padmavathi Devi, learned Special Government Pleader for the respondents.

2. The petitioner herein is aggrieved against the in-action on the part of the respondents in not rectifying the anomaly in his pay and incremental benefits on par with his junior Mr.P.Srinivasan. In this connection, when he earlier approached this Court through a



Writ Petition in W.P.No.36184 of 2007, an order came to be passed on 04.12.2008, directing the respondents to consider his request within a stipulated period. In spite of the order being passed, the respondents had not taken further action and therefore, the present Writ Petition has been filed.

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3. Today, when the matter was called, the learned Special Government Pleader, on instructions, would submit that the petitioner's pay anomaly is under active consideration and that they would take a decision very shortly.

4. It is rather un-fortunate that though this Court had passed an order way back in the year 2008, the respondents have taken their own time without obeying the order of this Court. It is in this background the petitioner was constrained to approach this Court once again. Though such in-action may amount to dis-obedience of the earlier orders of this Court, I intend to take a lenient view and afford one more opportunity to the respondents to consider the petitioner's request.

5. In the light of the above observations, the second respondent herein is hereby directed to comply with the order passed by this Court in W.P.No.36184 of 2007 dated 04.12.2008 as expeditiously as possible, in any event within a period of eight weeks from the date of receipt of a copy of this order.

6. In the result, the Writ Petition stands allowed. No costs.

Sd/-

Assistant Registrar (CO)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

tsg

To

1. The Secretary to Government,
Department of Animal Husbandry, Dairying and Fisheries,
Fort St.George, Chennai-600 009.
2. The Director of Animal Husbandry and Veterinary Services,
Central Office Buildings, B-11,
Chennai-600 006.



3. The Regional Joint Director of Animal Husbandry,
Regional Office of Department of Animal Husbandry
and Veterinary Services,
Thanjavur.

+1 CC to Mr.K.C.MANIYARASU, Advocate (SR-4460[F] dated 11/02/2021)
+1 CC to SPL GP (SR-4668[F] dated 12/02/2021)

Order made in
W.P. (MD) No.2711 of 2018
10.02.2021

VB (22.02.2021) 3P 6C