



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:29.11.2021

CORAM:

THE HONOURABLE DR.JUSTICE ANITA SUMANTH

W.P. (MD) .No.15687 of 2018

and

WMP (MD) No.1516 of 2021

WEB COPY

V.Mahadevan

... Petitioner

vs.

1.The Secretary to Government of Tamil Nadu,
Public Works Department,
Secretariate,
Chennai -9.

2.The Engineer in Chief and Chief Engineer (General),
Public Works Department,
Water Resource Department,
Cheapuk,
Chennai -5.

3.The Superintending Engineer,
Public Works Department,
Water Resource Department,
Trichy Region,
Trichy.

4.The Executive Engineer,
Public Works Department,
Buildings Construction and Maintenance Divison,
Ariyalur District 621 704.

... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondents to fix the salary in the cadre of Work Inspector from the month of May 2001 consequently sanction the service benefits as per G.O.Ms.No.12, Public Works Department dated 20.01.2009, by considering the petitioner's representation dated 23.11.2017, within a period stipulated by this Court.

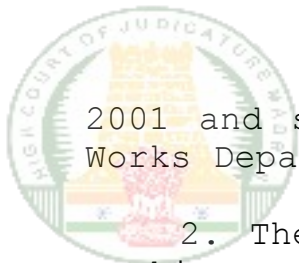
For Petitioner : Mr.M.Mohamed Sherbudeen

For Respondents : Mr.D.Sadiq Raja

Additional Government Pleader

O R D E R

The petitioner seeks a Mandamus directing the respondents to fix salary in the cadre of Work Inspector from the month of May



2001 and sanction service benefits as per G.O.(Ms.)No.12, Public Works Department, dated 20.01.2009.

2. The petitioner has made a representation dated 23.11.2017 seeking an identical benefit. It is the petitioner's case that he holds all the requisite qualifications for the relief as sought and that G.O.(Ms).No.12, dated 23.11.2017, supports the claim in full. That apart, he refers to two cases of identical placed employees one K.Rajamani and the second one R.Ravi, who have also been according to him granted the same benefit as he seeks. He has also relied on a decision of the Division Bench of this Court in the case of *G.Easwaran v. the Government of Tamil Nadu* (2015 (1) CWC 337.

3. The learned Special Government Pleader would assure the Court that the petitioner's representation would be disposed, bearing in mind the Government Order referred to aforesaid. That apart, he would submit that the case of K.Rajamani has in fact been considered and rejected by the authorities. However, he argues that the claim of R.Ravi, identical to the petitioner before me, has been considered and accepted by the respondents.

4. In light of the aforesaid and bearing in mind the position of law that identical placed employees should be granted identical service benefits without any discrimination, a direction is issued to the Executive Engineer, Public Works Department / R4 to consider the representation of the petitioner dated 23.11.2017, in light of the narration and observations made in this order, and decide the same within a period of six weeks from the date of uploading of a copy of this order upon the official website of this Court. Prior to disposal, the petitioner must be heard.

5. This Writ Petition is disposed. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar (P&A)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

akv

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 of Tamil Nadu,
Public Works Department,
Secretariate,
Chennai -9.

2.The Engineer in Chief and Chief Engineer (General),
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Water Resource Department,
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3.The Superintending Engineer,
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Trichy Region,
Trichy.

4.The Executive Engineer,
Public Works Department,
Buildings Construction and Maintenance Divison,
Ariyalur District 621 704.

+1 CC to M/s.M.MOHAMED SHERBUDEEN, Advocate (SR-36823[F] dated 01/12/2021)

+1 CC to M/s.SPL GP (SR-36501[F] dated 30/11/2021)

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SB(07.01.2022) 3P 7C