



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **23.02.2021**

CORAM:

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P. (MD)No.11548 of 2016

S.Ramar

... Petitioner

Vs.

1.The State of Tamil Nadu
represented by its Secretary,
Municipal Administration and Water Supply Department,
Fort St. George,
Chennai 600 009.

2.Tamil Nadu Water Supply and Drainage Board,
represented by its Managing Director,
TWAD Head Office,
312, Kamarajar Salai,
Chennai.

3.The Executive Engineer,
TWAD Board,
RWS Division,
Tirunelveli.

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus directing the second respondent to fix, sanction and disburse the pay of the petitioner in the pay scale according to the G.O.Ms.No.713 Municipal Administration and Water Supply Department, dated 04.08.1988 along with all attendant arrears and benefits from the date of the promotion of the petitioner as Senior Hydrogeologist viz., 27.08.2014, by considering the petitioner's representation dated 01.10.2015 and 01.12.2015, within the time that may be stipulated by this Court.

For Petitioner	: Mr.Niranjan S.Kumar
For R1	: Mr.A.Karthik
	Government Advocate
For R2 & R3	: Mrs.Porkodi Karnan



O R D E R

This writ petition has been filed for a direction to the second respondent to fix, sanction and disburse the pay of the petitioner, in the pay scale according to the G.O.Ms.No.713 Municipal Administration and Water Supply Department, dated 04.08.1988, along with all attendant arrears and benefits from the date of the promotion of the petitioner as Senior Hydrogeologist ie., on 27.08.2014, by considering the petitioner's representation dated 01.10.2015 and 01.12.2015.

2. The case of the petitioner is that he joined as an Assistant Hydrogeologist in the third respondent TWAD Board on 28.04.1991 and subsequently, he was promoted as Senior Hydrogeologist in the year 2014. Despite that, his scale of pay was not fixed for the promoted post. In the mean while, the petitioner was retired on 31.07.2015. Thereafter, the petitioner has made a representation on 01.10.2015 and 01.12.2015, seeking fixation and disbursement of the pay for the promoted post, as per G.O.(Ms.).No.713, Municipal Administration and Water Supply Department, dated 04.08.1988. However, till date the same was not considered. Hence, the petitioner has filed the present writ petition with the aforesaid prayer.

3.The learned counsel appearing for the petitioner would submit that it would suffice, if the second respondent is directed to dispose of the representation of the petitioner, dated 01.12.2015, in terms of G.O.(Ms.).No.713, Municipal Administration and Water Supply Department, dated 04.08.1988, within a specified period.

4.The learned Government Advocate appearing for the first respondent would submit that the second respondent has forwarded the proposal to the first respondent and this Court may issue a direction to the first respondent to consider the petitioner's representation, dated 01.12.2015.

5.Considering the limited request made by the learned counsel for the petitioner, this Court, without going into the merits of the matter, directs the first respondent to consider the petitioner's representation, dated 01.12.2015, in terms of G.O.(Ms.).No.713, Municipal Administration and Water Supply Department, dated 04.08.1988, if applicable to the petitioner, within a period of twelve weeks from the date of receipt of a copy of this order.

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

Sd/
Assistant Registrar(Records)

/True copy/

/ /2021
Sub Assistant Registrar(CS-)



To

1.The Secretary,
State of Tamil Nadu,
Municipal Administration and Water Supply Department,
Fort St. George,
Chennai 600 009.

2.The Managing Director,
Tamil Nadu Water Supply and Drainage Board,
TWAD Head Office,
312, Kamarajar Salai,
Chennai.

3.The Executive Engineer,
TWAD Board,
RWS Division,
Tirunelveli.

+1 CC to THE SPECIAL GOVERNMENT PLEADER SR-6985[F] dated 24/02/2021
+1 CC to Mr.NIRANJAN.S.KUMAR, Advocate SR-7003[F] dated 24/02/2021
+1 CC to M/s.POLAX LEGAL SOLUTIONS, Advocate SR-7374[F] dated
25/02/2021)

W.P. (MD) No.11548 of 2016
23.02.2021

AKV
PK/31.03.2021 : 3P/7C