



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 26.02.2021

CORAM:

THE HONOURABLE **MR. JUSTICE M. DHANDAPANI**

W.P. (MD) Nos. 21703 & 21704 of 2016

R. Raju ... Petitioner in W.P (MD) No. 21703/2016

K. Karthikeyan ... Petitioner in W.P (MD) No. 21704/2016

Vs.

1. The State of Tamil Nadu,
Rep. by its Secretary to Government,
Department of Tamil Development,
Culture and Religions Endowment,
Fort St. George, Chennai - 600 009.

2. The Commissioner,
Hindu Religious and Charitable Endowments
(Administration) Department,
Nungambakkam High Road,
Chennai - 600 034.

3. The Deputy Commissioner cum Executive Officer,
Incorporated & Unincorporated Devaswoms,
Suchindrum,
Kanyakumari District.

... Respondents in both W.Ps'

Common Prayer: Writ Petitions are filed under Article 226 of the Constitution of India, to issue Writs of Mandamus, directing the second and third respondents herein to refix the scale of pay along with monitory benefit and disburse the arrears of revised scale of pay of the petitioner, as per G.O.Ms.No.257, dated 10.06.1998 with the effect from 01.09.1997 and 07.08.2001 respectively.

For Petitioners : Mr.G.V.Vairam Santhosh
(in both W.Ps')

For RR 1 & 2 : Mr.K.P.Narayana Kumar
(in both W.Ps') Special Government Pleader

For R - 3 : Mr.M.Saravanan
(in both W.Ps')



C O M M O N O R D E R

These writ petitions are filed by the petitioners to direct the second and third respondents to re-fix the scale of pay along with monetary benefits and disburse the arrears of revised scale of pay of the petitioners, as per G.O.Ms.No.257, dated 10.06.1998 with the effect from 01.09.1997 and 07.08.2001 respectively.

2. The case of the petitioners is that initially they were appointed as Watchman in the year 1995 and 2001 respectively, by the Hindu Religious and Charitable Endowment Department at Thiruvithamcode, Devasam Board, Kanniyakumari District. Thereafter, the petitioners were made permanent employees, on 19.10.1999 and 06.04.2005 by the Deputy Commissioner cum Executive Officer, Incorporated and Unincorporated Devaswoms, Suchindram. From the date onwards, the petitioners were working as permanent employees. At the time of making the petitioners as permanent employees, the pay scale was fixed as 120-10-220-15-250 and 600-30-900-35-1250 respectively. While so, the State Government has issued a G.O.Ms.No.257, dated 10.06.1998, revised the pay scale in respect of the Temple employee including the petitioners' post. However, such benefits were not extended to the petitioners. For availing such benefits, the petitioners have made representations, dated 21.10.2016 to the respondents. So far no order has been passed. Hence, these present writ petitions.

3. The learned counsel appearing for the petitioners submitted that it would suffice, if the second and third respondents are directed to consider the petitioners' representations, dated 21.10.2016 and extend the benefits of G.O.Ms.No.257, if he is otherwise eligible.

4. The learned Additional Government Pleader appearing for the first and the second respondents submitted that the petitioners' representations will be considered within the time stipulated by this Court.

5. Considering the facts and circumstances of the case, this Court, without expressing any opinion on the merits of the matter, direct the second and third respondents to consider the petitioners' representations, dated 21.10.2016 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.

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

Sd/
Assistant Registrar(Records)

/True copy/

/ /2021

Sub Assistant Registrar(CS-)



To

1. The Secretary to Government,
Department of Tamil Development,
Culture and Religions Endowment,
Fort St. George, Chennai - 600 009.

2. The Commissioner,
Hindu Religious and Charitable Endowments
(Administration) Department,
Nungambakkam High Road,
Chennai - 600 034.

3. The Deputy Commissioner cum Executive Officer,
Incorporated & Unincorporated Devaswoms,
Suchindrum,
Kanyakumari District.

+2 CC to Mr.M.SARAVANAN, Advocate (SR-7816[F] dated 01/03/2021)

+1 CC to THE SPECIAL GOVERNMENT PLEADER (SR-7893[F] dated
01/03/2021)

+2 CC to Mr.G.V.VAIRAM SANTHOSH, Advocate (SR-8002, 8003[F] dated
01/03/2021)

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PK/26.03.2021 : 3P/9C