



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:23.03.2021

CORAM:

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

WEB COPY

W.P. (MD)No.2645 of 2016

- 1.D.Natarajan
- 2.R.Iyyanar
- 3.A.Fathima Beevi
- 4.Jayakumar
- 5.C.Sivakami
- 6.P.Lakshmi
- 7.Buveneswari
- 8.A.Singaravelu
- 9.V.Elangathir
- 10.M.Setthalakshmi

... Petitioners

Vs.

- 1.The Secretary to the Government of Tamil Nadu,
Rural Development and Panchayat Raj Department,
St. George Fort, Secretariat,
Chennai-9.
- 2.The Director of Rural Development and Panchayat Raj
Chennai 15.
- 3.The Accountant General
Chennai 18
- 4.The District Collector,
Trichy District,
Trichy.

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, to direct the respondents to fix the Grade pay of Rs.2,600/- instead of Rs.2,400/- for the petitioner's post of Road Inspector Grade-I as per G.O.Ms.No.338 Finance (Pay Cell) Department dated 26.08.2010 and pay arrears to the petitioners from the date of effect of the said G.O and further direct the respondents to pay arrears of grade pay to the petitioners when they are working as Road Inspector Grade-II as per G.O.Ms.No.325, Finance (Pay Cell) Department dated 22.07.2013 within the time limit that may be stipulated by this Court.

For Petitioners	: Mr.M.S.Jeyakarthik
For R1, R2 and R4	: Mr.D.Muruganantham
	Additional Government Pleader
For R3	: Mr.P.Gunasekaran



O R D E R

This Writ Petition is filed for a direction to the respondents to fix the Grade pay of Rs.2,600/- instead of Rs.2,400/- for the petitioner's post of Road Inspector Grade-I, as per G.O.Ms.No.338 Finance (Pay Cell) Department dated 26.08.2010 and pay arrears to the petitioners from the date of effect of the said G.O and further direct the respondents to pay arrears of grade pay to the petitioners when they are working as Road Inspector Grade-II, as per G.O.Ms.No.325, Finance (Pay Cell) Department dated 22.07.2013.

2.The case of the petitioners is that they were appointed as Road Inspector Grade-II in the year 2007 and they have possessed required educational qualification of ITI in Civil Draughtsmanship from the Government recognized Institute for the post of Road Inspector Grade II and their scale of pay was fixed as Rs.5,200-20200 + Grade Pay 2000, as per G.O.Ms.No.110, dated 22.12.2010. Further the petitioner has averred that after completion of 15 years of service in the post of Road Inspector Grade-II, the petitioners are entitled for promotion to the post of Road Inspector Grade-I and they are entitled to receive Grade Pay of Rs.2,600/-. However, the petitioners have received the Grade Pay of Rs.2,400/-. Subsequently, The Government, as per G.O.Ms.No.49, Rural Development and Panchayat Rau (E3) Department, dated 31.03.2015, merged the categories of Road Inspector Grade-I and Road Inspector Grade-II and fixed the Grade pay of Rs.2,400/- instead of Rs.2,600/-. As per G.O.Ms.No.338, dated 26.08.2010 and G.O.Ms.No.325, dated 22.07.2013, the petitioners are entitled to receive the Grade Pay of Rs.2,600/- instead of Rs.2,400/-. In order to avail such benefits, the petitioners have made representations, dated 12.06.2015 and 18.09.2015. So far no action has been taken. Hence, the present writ petition is filed.

3.The learned counsel appearing for the petitioners submitted that this Court may issue a direction to the respondents to consider the petitioners' representation, dated 18.09.2015 within the reasonable time as fixed by this Court.

4.The learned Additional Government Pleader appearing for the respondents 1, 2 and 4 has no serious objection for considering the petitioners' representation.

5.Considering the facts and circumstances of the case, this Court directs the first respondent to consider the petitioners' representation dated 18.09.2015 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, this Writ Petition is disposed of.
No costs.

Sd/-

Assistant Registrar (CSIII)

WEB COPY

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

To

1.The Secretary to the Government of Tamil Nadu,
Rural Development and Panchayat Raj Department,
St. George Fort, Secretariat,
Chennai-9.

2.The Director of Rural Development and Panchayat Raj
Chennai 15.

3.The District Collector,
Trichy District,
Trichy.

+1 CC to M/s.M.S.JEYAKARTHIK, Advocate (SR-13210[F] dated
24/03/2021)

+1 CC to M/s.SPL GP (SR-13311[F] dated 24/03/2021)

W.P. (MD)No.2645 of 2016
23.03.2021

DKS(CO)
KB(21.04.2021) 3P 6C