



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 13.06.2022

CORAM

THE HONOURABLE MR. JUSTICE R. SURESH KUMAR

WP.No.8039/2018

&

WMP.Nos.10014 & 10015/2018

G.Ethiraj

...Petitioner

Versus

1. The Government of Tamilnadu
represented by its Additional
Chief Secretary, Finance [Pay Cell]
Department, Fort St George,
Chennai 600 009.

2. The Greater Chennai Corporation
rep.by its Commissioner
Rippon Buildings, Chennai-3.

...Respondents

Prayer:- Petition filed under Article 226 of the Constitution of India praying for issuance of a writ of certiorarified mandamus calling for the records on the file of the 1st respondent relating to the issue of the impugned G.O., viz., G.O.Ms.No.328, Finance [Pay Cell] Department dated 31.10.2017 and quash the same and consequently to direct the respondents to fix the petitioner's pay in the pay structure in the Tamil Nadu Revised Pay Rules 2017 at appropriate level in the Pay matrix therein corresponding to the pay scales as ordered by the Government in G.O.Ms.No.335 Finance [Pay Cell] Department dated 26.08.2010 which the petitioner is entitled to draw pursuance to the judgment of this Court dated 27.02.2014 passed in WA.No.810 of 2012 and batch cases.

For Petitioner : Mr.N.Subramaniyan

For Respondents: Mr.R.V.Dinesh Rajkumar
Additional Government Pleader

ORDER

(1)The prayer sought for in this writ petition is to quash G.O.Ms.No.328, Finance [Pay Cell] Department dated 31.10.2017 and to direct the respondents to fix the petitioner's pay in the pay structure in the Tamil Nadu Revised Pay Rules 2017 at



appropriate level in the Pay matrix therein corresponding to the pay scales as ordered by the Government in G.O.Ms.No.335 Finance [Pay Cell] Department dated 26.08.2010 which the petitioner is entitled to draw pursuant to the judgment of this Court dated 27.02.2014 passed in WA.No.810 of 2012 and batch cases.

(2) So, such a prayer is sought for in this writ petition.

(3) When the case is taken up for final hearing today, the learned counsel for the petitioner would submit that the petitioner expired suddenly on 16.03.2021. In view of the said facts, the writ petition can be disposed of by recording the demise of the petitioner by protecting the interest of the legal heirs of the petitioner to agitate the issue if it is advised to do so as per the Extant Service Rules.

(4) Recording the said submission of the learned counsel for the petitioner and by hearing the learned Special Government Pleader appearing for the respondents, this writ petition is dismissed recording the demise of the petitioner as it is abated, of course, by protecting the interest as well as the right of the legal heirs of the deceased employee/petitioner in the manner known to law. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

AP

To

1. The Additional Chief Secretary,
Government of Tamilnadu,
Finance [Pay Cell]
Department, Fort St George,
Chennai 600 009.

2. The Commissioner
Greater Chennai Corporation
Rippon Buildings, Chennai-3.

+1cc to the Government Pleader, S.R.No.35376

WP.No.8039/2018

RLP(CO)

RGA(20/06/2022) (22/06/2022)