



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.04.2022

CORAM

THE HON'BLE MR. JUSTICE P.D. AUDIKESAVALU

W.P. No. 243 of 2018
and
W.M.P. No. 26081 of 2019

G.Manoharan

... Petitioner

-vs-

1. The Government of Tamil Nadu,
Represented by its Secretary to Government,
Information and Technology Department,
Fort. St.George,
Chennai - 600 009.

2. The Managing Director,
Electronics Corporation of Tamil Nadu Ltd (ELCOT),
No. 692, Anna Salai, Nandanam,
Chennai - 600 035.

... Respondents

Prayer:- Writ Petitions filed under Article 226 of the Constitution of India, 1950, praying to issue a Writ of Mandamus, to direct the Second Respondent to consider the Petitioner's representation dated 14.09.2017 to rectification of the pay disparity.

For Petitioner : Mr. R.Murugabharathi

For Respondents: Mr. S.Balamurugan

Government Advocate (For R1)

Mr. M.Vijayan

for M/s. King & Patridge (For R2)

O R D E R

Heard Mr. R.Murugabharathi, Learned Counsel for the Petitioner and Mr. S.Balamurugan, Learned Government Advocate appearing for the First Respondent and Mr. M.Vijayan, Learned Counsel for the Second Respondent and perused the materials placed on record, apart from the pleadings of the parties.

2. The Petitioner, who is working in the establishment of the Second Respondent, had made a representation dated 14.09.2017 for rectification of the disparity in his pay scale



but as no action was taken thereon, he has filed this Writ Petition.

3. Having regard to the limited nature of relief sought in this Writ Petition, this Court without expressing any view on the correctness or entitlement of the claim made by the Petitioner, disposes the Writ Petition on the following terms:-

- (i) it shall be incumbent upon the concerned authority to immediately examine the representation dated 14.09.2017 made by the Petitioner;
- (ii) if it is found that any details or supporting documents satisfying the eligibility criteria for the benefits claimed had not been produced, the deficiencies in that regard shall be informed in writing to the Petitioner requiring the same to be furnished within a time frame of not less than 15 clear working days in that regard;
- (iii) in the event of not being satisfied with the requirements even thereafter, an enquiry shall be conducted affording full opportunity of personal hearing to the Petitioner to explain his position in that regard and a reasoned orders shall be passed dealing with each of the contentions raised on merits and in accordance with law and the decision taken communicated under written acknowledgment;
- (iv) if the Petitioner is found entitled to the claim made, the eligible amount of monetary benefits shall be paid within a period of 30 days from the date of passing of that order;
- (v) the report of completion of the aforesaid exercise shall be filed by 31.07.2022 before the Registrar (Judicial) of this Court; and
- (vi) consequently, the connected Miscellaneous Petition is closed; and
- (vii) there shall be no order as to costs.

Sd/-

Assistant Registrar (CS-II)

//True Copy//

Sub Assistant Registrar

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To

1. The Secretary to Government of Tamil Nadu,
Information and Technology Department,
Fort. St. George,



2. The Managing Director,
Electronics Corporation of Tamil Nadu Ltd,
(ELCOT),
No. 692, Anna Salai, Nandanam,
Chennai - 600 035.

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Copy To

The Registrar Judicial,
High Court,
Madras.

+1cc to Mr.King & Partridge, Advocate, S.R.No. 30264
+1cc to the Government Pleader, S.R.No. 30941

+1cc to Mr.R.Murugabharathi, Advocate SR.No.32157 (21/06/2022)

W.P. No. 243 of 2018

SPD(CO)
GN(27/05/2022)