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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.04.2022

CORAM

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

W.P. No. 24206 of 2019

S.Annalakshmi

... Petitioner

-vs-

1. The Director,
Municipal Administration,
Ezhilagam Annex,
Chepauk,
Chennai - 600 005.
2. The Commissioner,
Greater Chennai Corporation,
Rippon Buildings,
Chennai - 600 003.
3. The Secretary,
Municipal Administration and Water Supply Department,
Fort St. George,
Chennai.

... Respondents

Prayer:-

Writ Petitions filed under Article 226 of the Constitution of India, 1950, praying to issue a Writ of Mandamus, directing the Respondents to sanction increment for acquiring post graduate degree in engineering pursuant to the Petitioner's representation dated 30.11.2017 in respect of the increment for obtaining post graduate degree alone.

For Petitioner : Mr.V.S.Jegadeesan
for Mr. R.Ramanlaal

For Respondents: Mr. Vadivelu Deenadayalan,
Additional Government Pleader
(for R1 & R3)

No appearance (for R2)



O R D E R

Heard Mr. V.S.Jegadeesan, Learned Counsel appearing for the Petitioner and Mr. Vadivelu Deenadayalan, Learned Additional Government Pleader appearing for the First and Third Respondents and perused the materials placed on record, apart from the pleadings of the parties.

2. There is no representation for the Second Respondent when the matter is called at 1.25 p.m. today.

3. The Petitioner, who claims to have acquired M.E. Degree in Structural Engineering, had made a representation dated 30.11.2017 to grant her advance increments relying on G.O. Ms. No. 1195, Public Works Department dated 11.07.1972, but as no action has been taken thereon, she has filed this Writ Petition.

4. Having regard to the limited nature of relief sought, 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) the Petitioner is permitted to send another copy of his representation dated 30.11.2017 along with a copy of this order immediately to the concerned authority by 31.05.2022;
- (ii) it shall be incumbent upon the concerned authority to immediately examine the said representation made by the Petitioner;
- (iii) 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;
- (iv) 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 her 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;
- (v) if the Petitioner is found entitled to the claim made, the eligible amount of monetary benefits shall be disbursed within a period of 30 days from the date of passing of that order;



(vi) the report of completion of the aforesaid exercise shall be filed by 30.09.2022 before the Registrar (Judicial) of this Court; and

(vii) there shall be no order as to costs.

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Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

skr

To

1. The Director,
Municipal Administration,
Ezhilagam Annex,
Chepauk,
Chennai - 600 005.
2. The Commissioner,
Greater Chennai Corporation,
Rippon Buildings,
Chennai - 600 003.
3. The Secretary,
Municipal Administration and Water Supply Department,
Fort St. George,
Chennai.

Copy to

The Registrar (Judicial),
Madras High Court,
Chennai - 600 104.

+1cc to Mr. R.Ramanlaal, Advocate, S.R.No.27910
+1cc to the Government Pleader, S.R.No.27324

W.P. No. 24206 of 2019

SR(CO)
CT-06/05/2022