



WEB COPY



W.P.No.29329 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 07.11.2022

CORAM

THE HONOURABLE MR.JUSTICE ABDUL QUDDHOSE

W.P.No.29329 of 2022

P. Subbuthai,
Executive Engineer (Town Planning),
Avadi City Municipal Corporation,
Now on deputation in
Madurai City Municipal Corporation,
Madurai – 625 001.

... Petitioner

Vs.

- 1.The Secretary to Government,
Municipal Administration and Water Supply
Department,
Secretariat, Chennai – 600 009.
- 2.The Commissioner of Municipal Administration,
No.75, Santhome High Road,
Raja Annamalaipuram,
Chennai – 600 028.
- 3.The Commissioner,
Avadi City Municipal Corporation,
Avadi, Chennai – 600 054.
- 4.The Commissioner,
Madurai City Municipal Corporation,
Madurai, Chennai – 625 020.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of Writ of Mandamus, to direct the 1st and 2nd respondents to



W.P.No.29329 of 2022

sanction the annual increment due to the petitioner for the years 2010, 2011, 2012, 2013 and 2014 along with pay fixation, within a reasonable period as may be fixed by this Court.

For Petitioner : Mr.T. Ranganathan

For Respondents : Mr.M. Shajahan,
Special Government Pleader [R1 & R2]

ORDER

This Writ petition has been filed for a mandamus seeking for a direction to the first and second respondents to sanction the annual increment due to the petitioner for the years 2010, 2011, 2012, 2013 and 2014 along with pay fixation, within a reasonable period as may be fixed by this Court.

2. Heard the learned counsel for the petitioner. Mr.M. Shajahan, learned Special Government Pleader, accepts notice on behalf of the first and second respondents. By consent of both the parties, this Writ Petition is taken up for final disposal at the admission stage itself.

3. The grievance of the petitioner in this writ petition is that despite the quashing of the punishment imposed against her in the disciplinary proceedings by orders of this Court dated 19.01.2022 passed in WP.No.42898 of 2016, the



W.P.No.29329 of 2022

petitioner has not been paid her annual increment for the years 2010, 2011, 2012, 2013 and 2014. According to the petitioner, the first respondent has also implemented the High Court's order by his proceedings dated 13.06.2022 in G.O.(D).No.199, MAWS Department. However, according to the petitioner, till date, she has not been paid her annual increments for the aforementioned years. In such circumstances, she has given a representation dated 03.10.2022, requesting for payment of annual increments for the years 2010, 2011, 2012, 2013 and 2014. Since her representation has not been considered till date, she has filed this writ petition.

4. No prejudice will be caused to the respondents if the petitioner's representation, as stated supra, is considered on merits and in accordance with law, within a time frame to be fixed by this Court.

5. For the foregoing reasons, this Court directs the first and second respondent to pass final orders on merits and in accordance with law, on the petitioner's representation dated 03.10.2022, requesting for sanctioning of annual increments in her favour for the years 2010, 2011, 2012, 2013 and 2014, within a period of twelve (12) weeks from the date of receipt of a copy of this order.



WEB COPY



W.P.No.29329 of 2022

ABDUL QUDDHOSE,J.

Sni

6. With the aforesaid directions, this Writ Petition is disposed of. No costs.

07.11.2022

Speaking/Non-speaking Order
Index: Yes/No

Sni

To

1.The Secretary to Government,
Municipal Administration and Water Supply
Department,
Secretariat, Chennai – 600 009.

2.The Commissioner of Municipal Administration,
No.75, Santhome High Road,
Raja Annamalaipuram,
Chennai – 600 028.

3.The Commissioner,
Avadi City Municipal Corporation,
Avadi, Chennai – 600 054.

4.The Commissioner,
Madurai City Municipal Corporation,
Madurai, Chennai – 625 020.

W.P.No.29329 of 2022