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W.P.No.33110 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:08.12.2022

Coram

The HONOURABLE MR.JUSTICE ABDUL QUDDHOSE

W.P.No.33110 of 2022

M.Muthu

.. Petitioner

Vs

1.The Director General of Police,
Office of the Director General of Police,
Mylapore,
Chennai.

2.The Commissioner of Police,
Chennai City, Vepery,
Chennai – 7

.. Respondents

Petition filed under Article 226 of the Constitution of India praying to issue a writ of mandamus directing the respondents to consider and pass orders on the petitioner's representation dated 09.04.2021 to fix the basis salary at the time of retirement dated 31.05.2019 on par with the similarly placed persons.

For Petitioner : Mr.V.Lakshminarayanan

For Respondents : Ms.E.Indhumathi
Government Advocate



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ORDER

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1. This writ petition has been filed for a mandamus seeking for a direction to the respondents to pass final orders on the petitioner's representation dated 09.04.2021 seeking to fix his basic salary at the time of retirement dated 31.05.2019 on par with the similarly placed persons.

2. According to the petitioner, even though the date of appointment and the date of retirement of the similarly placed employees are one and the same, the petitioner's salary fixed on the date of retirement i.e. 31.05.2019 is lower than that of the similarly placed employees. In such circumstances, he has given the representation dated 09.04.2021 to re-fix his basic salary at the time of retirement dated 31.05.2019 on par with similarly placed employees. Since the representation was not considered till date, he has filed this writ petition.

3. Heard Mr.V.Lakshminarayan, learned counsel for the petitioner and Ms.E.Indhumathi, learned Government Advocate accepts notice on behalf of the respondents.



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4. No prejudice would be caused to the respondents if the petitioner's representation is considered on merits and in accordance with law within a time frame fixed by this Court. This court is not expressing any opinion on the merits of the petitioner's claim.

5. For the foregoing reasons, this Court directs the first respondent to pass final orders on merits and in accordance with law on the petitioner's representation dated 09.04.2021 to refix his basic salary at the time of retirement dated 31.05.2019 on par with similarly placed persons within a period of twelve weeks from the date of receipt of a copy of this order.

6. With the aforesaid direction, this writ petition is disposed of. No costs.

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ABDUL QUDDHOSE,J.

ssm

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