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W.P. No.34431 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23.12.2022

CORAM:

THE HON'BLE MR. JUSTICE ABDUL QUDDHOSE

W.P. No.34431 of 2022

Mathiazhagan

.. 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

Prayer : Writ petition filed under Article 226 of the Constitution of India,
to issue a Writ of Mandamus directing the respondents to consider and
pass orders on the petitioner's representation dated 29.11.2022 to fix the
basic salary at the time of retirement dated 30.04.2017 on par with the
similarly placed persons.

For Petitioner : Mr.V.Lakshminarayanan

For Respondents : Mr.Stalin Abimanyu,
Additional Government Pleader

ORDER

By consent of both the parties, this writ petition has been taken up
for final disposal at the admission stage itself.



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2.Mr.Stalin Abimanyu, learned Additional Government Pleader

accepts notice on behalf of the respondents.

3.The grievance of the petitioner in this writ petition is that the basic salary fixed on the date of his retirement i.e. on 30.04.2017 is wrong. According to him, the basic salary of similarly placed employees were fixed higher. The petitioner has given a representation on 29.11.2022 to the respondents seeking to rectify the pay anomaly. Since the representation has not been considered till date, he has filed this writ petition.

4.The petitioner has filed documents, which includes his retirement order, to substantiate his claim that his basic salary on the date of his retirement was fixed erroneously and was not on par with other similarly placed employees, whose basic salary was fixed at a higher sum. It is for the respondents to consider the same, on merits and in accordance with law.

5.No prejudice would be caused to the respondents if the petitioner's representation as stated supra is considered, on merits and in



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accordance with law, within a time frame to be fixed by this Court.

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6.This Court is not expressing any opinion on the merits of the petitioner's representation.

7.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 29.11.2022 seeking to fix his basic salary at the time of his retirement, namely, on 30.04.2017, on par with the similarly placed employees, within a period of twelve weeks from the date of receipt of a copy of this order.

8.With the aforesaid direction, this writ petition is disposed of.

No costs.

23.12.2022

Index: Yes/No

vga

To

1.The Director General of Police,
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Vepery, Chennai-7.

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ABDUL QUDDHOSE, J.

vga

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