



W.P.No.31176 of 2018

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.11.2022

CORAM

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

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J.Asokan

...Petitioner

Vs.

1.The State of Tamil Nadu,
Rep.by the Secretary,
Commercial Taxes and Religious
Endowment Department,
Chennai.

2.The Special Commissioner and Commissioner
of Commercial Taxes,
Chepauk,
Chennai.

3.The Joint Commissioner [CT]
Enforcement – I,
Chennai – 6.

4.The Addl.Commissioner [CT]
Enforcement – I,
Chennai – 6.

..Respondents

Prayer : Writ Petition filed Under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondent to fix the pay on par with petitioner's junior Mr.P.Chokkiah for the post of Commercial Tax Officer for the purpose of getting difference amount of pay and allowances



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higher pensionary benefits by considering the petitioner's representation dated 27.01.2017.

For Petitioner : Mr.R.Ramesh

For Respondents : Mr.S.Rajesh
Government Advocate

ORDER

The relief sought for in the present writ petition is for a direction to direct the respondents to fix the pay on par with petitioner's junior Mr.P.Chokkiah for the post of Commercial Tax Officer for the purpose of getting difference amount of pay and allowances higher pensionary benefits by considering the petitioner's representation dated 27.01.2017.

2. The learned counsel appearing on behalf of the petitioner made a submission that the representation was submitted by the petitioner on 27.01.2017 along with the comparative statement. However, the respondents have not initiated any action to consider the representation.

3. Stepping up of pay on par with the junior is to be considered based on the Service Records of the Senior and Junior. A comparative table is to be submitted by the petitioner for the purpose of considering his case for



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stepping up of pay. It is to be considered based on the Fundamental Rules and by verifying the Service Records of the Senior and Junior.

4. In this regard, the petitioner is permitted to submit a fresh representation to the respondents along with the comparative table within a period of two weeks from the date of receipt of a copy of this order.

5. On receipt of any such representation from the petitioner, the respondents are bound to initiate all appropriate action and verify the Service Records of the petitioner and his junior as per his representation and accordingly, take a decision and pass appropriate orders on merits and in accordance with law as expeditiously as possible.

6. With these directions, the writ petition stands disposed of. No costs.

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Index : Yes

Speaking order: Yes

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To

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1. The Secretary,
State of Tamil Nadu,
Commercial Taxes and Religious
Endowment Department, Chennai.
2. The Special Commissioner and Commissioner
of Commercial Taxes,
Chepauk,
Chennai.
3. The Joint Commissioner [CT]
Enforcement – I,
Chennai – 6.
4. The Additional Commissioner [CT]
Enforcement – I,
Chennai – 6.



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S.M.SUBRAMANIAM, J.

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