



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **14.06.2022**

CORAM:

THE HONOURABLE **MR. JUSTICE G. CHANDRASEKHARAN**

W.P. (MD) Nos. 11557 and 11558 of 2022

S. Santhanam

... Petitioner in W.P(MD) No. 11557 of 2022

R. Sikkandar

... Petitioner in W.P(MD) No. 11558 of 2022

/vs./

1. The Managing Director,
Tamil Nadu Co-operative Milk Producers Federation Limited,
(Revenue Department),
Aavin Illam, Mathavaram Milk Colony,
Chennai-51.

2. The Commissioner/Director for Milk Production,
Dairy Development,
Chennai-51.

3. The General Manager,
Virudhunagar District Co-operative Milk
Producers Union,
Meenakshipuram Post,
Madurai Road-626125,
Srivilliputhur,
Virudhunagar District.

... Respondents
(in both petitions)

COMMON PRAYER: Writ Petitions filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, to direct the third respondent to revise the petitioners' pay scale as per the proceedings of the second respondent in Rc. No. 8695/2018/N1, dated 20.06.2018 and to pay the arrears difference of salary till the date of their retirement i.e., 30.04.2020 and 31.03.2018 and pay difference amount in their retirement benefits by considering their representations dated 03.02.2022 within the time stipulated by this Court and for other reliefs.

For Petitioners	:	Mr. J. Lawrence
For R1 and R3	:	Mr. K. Prabhu, Standing Counsel
For R2	:	Mr. M. Senthil Ayyanar Government Advocate (in both petitions)



COMMON ORDER

By consent of both parties, these writ petitions are taken up for final disposal at the stage of admission itself.

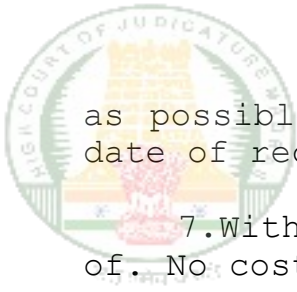
2. These writ petitions have been filed seeking mandamus to direct the third respondent to revise the petitioners' pay scale as per the proceedings of the second respondent in Rc. No.8695/2018/N1, dated 20.06.2018 and to pay the arrears, difference of salary till the date of their retirement i.e., 30.04.2020 and 31.03.2018 respectively and pay the difference amount in their retirement benefits, by considering their representations dated 03.02.2022, within the time stipulated by this Court and for other reliefs.

3. The learned counsel for the petitioners submitted that the petitioners were initially appointed as Operator in the third respondent's Office and on completion of 10 years, they were given Special Grade pay scale and thereafter, in the year 2008, they have been given Special Grade Technician with the higher pay scale. The petitioners had retired from service on attaining the age of superannuation on 30.04.2020 and 31.03.2018 respectively. The second respondent in his proceedings dated 20.06.2018 in RC.No.8695/2018/N1 has permitted to sanction revision of pay scale of Technician on par with Electrician Grade-I and Boiler Man Grade-I notionally with effect from 01.06.1986 and monetary benefits from 01.04.2013 with a condition that the third respondent should ensure the status of those employees as Grade-I. This recommendation should get approval of the Virdhunagar District Co-operative Milk Producers Union.

4. The learned counsel for the petitioners further submitted that in accordance with recommendation, the approval of the Board was obtained and the pay revision was implemented. However, so far as the petitioners are concerned, though they retired from service on attaining the age of superannuation on 30.04.2020 and 31.03.2018 respectively, till date, this benefit was not extended to them. Therefore, the petitioners made the representations dated 03.02.2022 to revise their pay as per the proceedings of the second respondent dated 20.06.2018. Since the said representations were not considered, the present writ petitions have been filed.

5. Mr.K.Prabhu, learned Standing Counsel, accepts notice for the respondents No.1 and 3 and Mr.M.Senthil Ayyanar, learned Government Advocate, accepts notice for the second respondent and seek time to get instruction.

6. Considering the limited scope of the prayer sought for in these writ petitions, this Court, without going into the merits of the case, directs the third respondent herein to consider the petitioners' representations dated 03.02.2022 on its own merits and in accordance with law and pass appropriate orders, as expeditiously



as possible, preferably, within a period of six (6) weeks from the date of receipt of a copy of this order.

7. With the above direction, the Writ Petitions stand disposed of. No costs.

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Sd/-

Assistant Registrar (CS II)

// True Copy //

/06/2022

Sub Assistant Registrar (CS)

cp

To:-

1. The Managing Director,
Tamil Nadu Co-operative Milk Producers Federation Limited,
(Revenue Department),
Aavin Illam, Mathavaram Milk Colony,
Chennai-51.

2. The Commissioner/Director for Milk Production,
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3. The General Manager,
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Meenakshipuram Post,
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Srivilliputhur,
Virudhunagar District.

+2 CC to M/s.J. LAWRENCE, Advocate (SR-25705, 25706[F] dated 15/06/2022)

Common Order made in
W.P. (MD) Nos. 11557 and 11558 of 2022

Dated:
14.06.2022

=SS (24/06/2022) 3P 6C