



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 13.06.2022

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WEB COPY

THE HONOURABLE MR.JUSTICE G.CHANDRASEKHARAN

W.P.(MD) No.11510 of 2022

D.Harikrishnan

... Petitioner

Vs.

1.The State of Tamil Nadu,
Rep. by its Principal Secretary,
Departmental of School Education and Library
Secretariat, Chennai - 600 009.

2.The Director,
Directorate of Public Libraries,
737/1, Anna Salai,
Directorate of Public Library,
Chennai - 600 002.

3.The District Library Officer,
District Library Committee,
Tiruchirappalli - 600 008.

... Respondents

PRAYER : Writ petition filed under Article 226 of the Constitution of India to issue a writ of Mandamus, directing the 1st respondent to sanction salary on par with my Junior R.S. Madhu Anand with effect from 12.04.2007 and disburse arrears of salary and all other consequential attendant and monetary benefits to him based on the 3rd respondent proceedings in Na.Ka. No.5221/A/2018 dated 09.05.2019 and to refix the pension from the date of retirement within a time frame that may be stipulated by this Court.

For Petitioner : Mr.S.Sivakumar
For Respondents : Mr.V.Nirmal Kumar
Government Advocate

O R D E R

This writ petition has been filed for issuance of a Mandamus seeking for a direction to the 1st respondent to sanction salary on par with my Junior R.S. Madhu Anand with effect from 12.04.2007 and disburse arrears of salary and all other consequential attendant and monetary benefits to him based on the 3rd respondent proceedings in Na.Ka.No.5221/A/2018 dated 09.05.2019 and to refix the pension from the date of retirement within a time frame that may be stipulated by this Court.



2.The learned counsel for the petitioner submitted that one Mr.R.S.Madhu Anand is Junior to him in the Sericulture Department. But his salary was fixed higher than the petitioner with effect from 12.04.2007. Therefore, the petitioner has filed an application through proper channel to the respondents for fixing his salary with effect from 12.04.2007, on par with his junior. The third respondent has sent a letter to the second respondent by his proceedings in Na.Ka.No.5221/A/2018, dated 09.05.2019, refixing his salary. However, his salary is not refixed on par with his junior. On 20.12.2021, he sent letter to rectify this discrepancy. Again on 20.04.2022, he sent a representation to the first respondent to implement the proceedings of the third respondent in Na.Ka.No.5221/A/2018, dated 09.05.2019. No positive order has been passed. Therefore, this writ petition.

3.Heard Mr.S.Sivakumar, learned counsel appearing for petitioner and the learned Government Advocate Mr.V.Nirmal Kumar, who takes notice on behalf of the respondents 1 to 3.

4.Perusal of the copies of the documents filed in the form of typed set shows that the petitioner's pay was refixed by the third respondent in Na.Ka.No.5221/A/2018, dated 09.05.2019. This proposal was sent to the second respondent. It is submitted by the learned counsel for the petitioner that the second respondent forwarded this proposal to first respondent and it is pending consideration. However, there is no material produced to show that proposal refixing salary of the petitioner in Na.Ka.No.5221/A/2018, was forwarded to the first respondent. It is his case that his request has been considered by the third respondent positively and it is pending consideration by the respondents 1 and 2.

5.Therefore, this Court directs the respondents 1 and 2 to pass appropriate orders on the proceedings of the third respondent in Na.Ka.No.5221/A/2018, at the earliest possible, preferably within a period of twelve weeks from the date of receipt of a copy of this order.

6.Accordingly, this writ petition is disposed of. No costs.

Sd/-

Assistant Registrar (CS-I)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

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To

1.The Principal Secretary, State of Tamil Nadu,
Departmental of School Education and Library
Secretariat, Chennai - 600 009.

2.The Director,
Directorate of Public Libraries,
737/1, Anna Salai,
Directorate of Public Library,
Chennai - 600 002.

3.The District Library Officer,
District Library Committee,
Tiruchirappalli - 600 008.

+1 CC to M/s.S.SIVAKUMAR, Advocate (SR-25335[F] dated 13/06/2022)

+1 CC to M/s.SPL.GP (SR-25586[F] dated 14/06/2022)

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RD(20.06.2022) 3P 6C