



WP(MD)No.20266 of 2022

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **30.08.2022**

CORAM:

THE HONOURABLE **MR.JUSTICE M.S.RAMESH**

W.P.(MD)No.20266 of 2022

N.Najimabhegam,
Assistant,
Office of the Assistant Executive Engineer,
Agricultural Engineering Department,
60, T.P.K.Road,
Madurai-625 011.

... Petitioner

/vs./

- 1.The State of Tamil Nadu,
Represented by its Secretary to Government,
Finance Department,
Fort St.George,
Chennai-600 009.
- 2.The Director of Agriculture,
Chepauk,
Chennai-600 005.
- 3.The Chief Engineer,
Office of the Chief Engineer,
Agricultural Engineering Department,
487, Anna Salai,
Nandanam,
Chennai-35.



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4.The Secretary,
Tamil Nadu Public Service Commission,
Tamil Nadu Public Service Commission Road,
V.O.C. Nagar, Park Town,
Chennai-600 003.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondents herein to sanction and accord Higher start of pay at two stages above the minimum of scale of pay for possessing degree qualification at the time of selection by the fourth respondent based on G.O.Ms.No.321 Finance (Pay Cell) Department, dated 02.07.1998 and G.O.Ms.No.234 Finance (Pay Cell) Department, dated 01.06.2009 and pass any such further or other orders as this Court.

For Petitioner : M/s.D.Srinivasaragavan
For R-1 to R-3 : Mr.G.Suriyananth
Additional Government Pleader
For R-4 : Mr.J.Anand Kumar
Standing Counsel

ORDER

By consent of both the parties, this Writ Petition is taken up for final disposal.



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2. The limited prayer sought for in the writ petition is to direct the respondents herein to sanction and accord Higher start of pay at two stages above the minimum of scale of pay for possessing degree qualification at the time of selection by the fourth respondent based on G.O.Ms.No.321 Finance (Pay Cell) Department, dated 02.07.1998 and G.O.Ms.No.234 Finance (Pay Cell) Department, dated 01.06.2009.

3. Since the petitioner has not given any representation, it would be appropriate to direct the petitioner to give a representation seeking to sanction and accord higher start of pay at two stages above the minimum of scale of pay for possessing degree qualification to the respondents, within the stipulated time.

4. In the light of the above observations, there shall be a direction to the petitioner to give a fresh representation to the respondents, seeking to sanction and accord Higher start of pay at two stages above the minimum of scale of pay for possessing degree qualification at the time of selection by the fourth respondent based on G.O.Ms.No.321 Finance (Pay Cell) Department, dated 02.07.1998 and G.O.Ms.No.234 Finance (Pay Cell) Department, dated



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01.06.2009. On receipt of such a representation, the respondents herein are directed to consider the same, on its own merits and pass appropriate orders in accordance with law, within a period of eight (8) weeks from the date of receipt of a fresh representation. It is made clear that this Court has not expressed any of its views with regard to the merits of the claim of the petitioner and that it is open to the concerned respondent to consider the same on its own merits.

5. With the above direction, the Writ Petition stands disposed of. There shall be no order as to costs.

30.08.2022

Index : Yes / No
Internet : Yes / No
btr/cp

To

1.The Secretary to Government,
The State of Tamil Nadu,
Finance Department,
Fort St.George,
Chennai-600 009.

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- 2.The Director of Agriculture,
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Chennai-600 005.
- 3.The Chief Engineer,
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487, Anna Salai,
Nandanam,
Chennai-35.
- 4.The Secretary,
Tamil Nadu Public Service Commission,
Tamil Nadu Public Service Commission Road,
V.O.C. Nagar, Park Town,
Chennai-600 003.



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M.S.RAMESH, J.

btr/cp

Order made in
W.P.(MD)No.20266 of 2022

Dated:
30.08.2022