



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 26.04.2022

CORAM:

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P. (MD) No.21242 of 2019

and

W.M.P. (MD) No.19417 of 2019

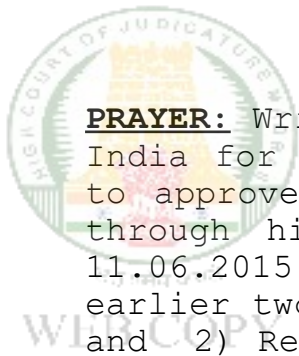
R.Paulraj

... Petitioner

vs.

- 1.The Chief Secretary
Government of Tamilnadu
Secretariat
Saint.George Fort, Chennai-9
- 2.The Department of Home Affairs
thro its Secretary
Government of Tamilnadu
Secretariat
Saint.George Fort, Chennai-9
- 3.The Principal Accountant General
(A&E) (Tamilnadu)
No.361, Anna Salai
Thenampet
Chennai, Tamilnadu-600 018
- 4.The Addl.Director General of Police
Crime Branch CID
Old Commissioner of Police Campus
Panthiyan Road, Egmore
Chennai-08
- 5.The Deputy Inspector General of Police
O/o.the ADGP, CB CID
Old Commissioner of Police Campus
Panthiyan Road
Egmore, Chennai-08
- 6.The Superintendent of Police
O/o.the Superintendent of Police
Crime Branch CID, Egmore
Chennai-8

... Respondents



PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of writ of mandamus directing the 4th respondent to approve the petitioner stepping up order sent by 3rd respondent through his office letter Pen 6/III/10612774/14-15/ADK/61/dated 11.06.2015 and consequently direction may be given to implement the earlier two orders through 1) RC.No.A1/17604/2011 dated 25.05.2012 and 2) Revision of pay fixation-orders issued by the 5th respondent through RC.No. F1/20624/2014 dated 24.03.2015 and consequently step up the petitioner pay to Rs.6350/- on par with the petitioner junior R.Mohandoss from 01.07.1999 with accruing interest from the date of the petitioner application to till realisation of the amount or consider the petitioner representation dated 08.09.2019.

For Petitioner : Mr.R.Santhanam

For Respondents : Mr.N.Satheesh Kumar
Additional Government Pleader
for R1, R2 & R4 to R6
Mr.P.Gunasekaran for R3

O R D E R

The relief sought for in this writ petition is to step up the pay of the petitioner on par with the third respondent.

2. Interestingly, the petitioner has impleaded many respondents, including, the Chief Secretary, Government of Tamil Nadu, who is not a necessary party for stepping up of pay of the petitioner on par with his junior. Filing of such writ petitions by impleading unnecessary parties would create confusion. The litigants must implead only the necessary parties for the purpose of considering the relief. The petitioner herein has sent a representation to the Chief Secretary to the Government of Tamil Nadu, who will not be in a position to decide such issues. The files may not be available with him. The representation of the petitioner is vague and does not contain the clear comparative chart regarding service particulars of the petitioner as well as the third respondent. Therefore, filing of such writ petitions by impleading unnecessary Government Authorities are to be avoided.

3. All appeals are petitions are to be filed before the Competent Authority in a prescribed format. Stepping up of pay on par with the junior is a right of an employee. Therefore, such rights are to be established in a prescribed manner by clearly producing a comparative chart. Then alone, the Authorities would be in a position to consider the claim of the employee. By merely sending a representation to many Authorities cannot be considered as a valid representation. These representations are sent in a casual manner. In those circumstances, none of the Authorities will look into the issues. The petitioner herein being a retired Government



servant is expected to understand before which Authority his grievance is to be redressed. Such causal representations sent to many Authorities, who all are unnecessary parties, cannot be considered as valid representations.

4. In view of the facts and circumstances, the petitioner is at liberty to submit a proper application along with clear comparative chart along with his service particulars as well as his junior / third respondent and present the same through proper channel to the Government, who is competent to decide the issues as the petitioner has already reached the age of superannuation and retired from service.

5. With the above observations, the writ petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (CS-III)

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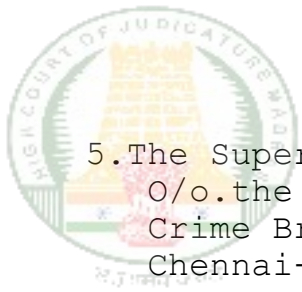
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Sub Assistant Registrar(CS)

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To:

- 1.The Chief Secretary,
Government of Tamilnadu,
Secretariat,
Saint.George Fort, Chennai-9.
- 2.The Secretary,
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Government of Tamilnadu,
Secretariat,
Saint.George Fort, Chennai-9.
- 3.The Addl.Director General of Police,
Crime Branch CID,
Old Commissioner of Police Campus,
Panthiyan Road, Egmore,
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- 4.The Deputy Inspector General of Police,
O/o.the ADGP, CB CID,
Old Commissioner of Police Campus,
Panthiyan Road,
Egmore, Chennai-08.



5.The Superintendent of Police,
O/o.the Superintendent of Police,
Crime Branch CID, Egmore,
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KMK (CO)
KB (09.05.2022) 4P 6C