



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 20.01.2022

CORAM

THE HONOURABLE MRS.JUSTICE S.SRIMATHY

W.P. (MD)No.3724 of 2015

and

M.P. (MD)Nos.1 and 2 of 2015

WEB COPY

K.Murugesan

... Petitioner

vs.

1.The Principal Director,
Highways Department,
Chepauk, Chennai-600 005.

2.The Superintending Engineer,
Highways, Alagar Koil Road,
Madurai - 625 002.

3.The Divisional Engineer,
Highways, Trichy Road,
Dindigul - 7.

4.The Assistant Divisional Engineer,
Highways, Batlagundu,
Nilakkottai Taluk,
Dindigul District.

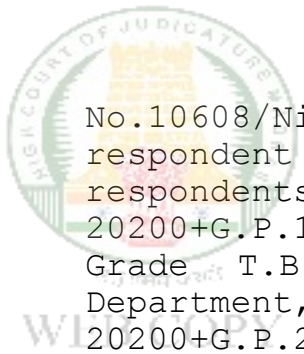
... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Certiorarified Mandamus, to call for the records relating to the Order No.10608/Nir4(1)/2014, dated 07.01.2015, passed by the first respondent and to quash the same and consequently to direct the respondents to refix the petitioner in the scale of pay of Rs.5200-20200+G.P.1900 with effect from 01.01.2006 in the post of Ordinary Grade T.B.Watchman as per G.O.Ms.No.338, Finance (Pay Cell) Department, dated 26.08.2010 and in the scale of pay of Rs.5200-20200+G.P.2600/- with effect from 19.05.2009 in Selection Grade post of T.B.Watchman as per Letter Roc.No.45529/F.3/2010-1, dated 03.10.2012, of the Commissioner of Municipal Administration Department and disburse the arrears of pay and allowances within a time limit to be fixed by this court.

For Petitioner : Mr.A.Thirumurthy
for M/s.Victory Associates
For Respondents : Mr.N.Ramesh Arumugam
Government Advocate (Civil side)

O R D E R

This Writ Petition was filed for issuance of a Certiorarified Mandamus, to call for the records relating to the Order
<https://hcservices.ecourts.gov.in/hcservices/>



No.10608/Nir4(1)/2014, dated 07.01.2015, passed by the first respondent and to quash the same and consequently to direct the respondents to refix the petitioner in the scale of pay of Rs.5200-20200+G.P.1900 with effect from 01.01.2006 in the post of Ordinary Grade T.B.Watchman as per G.O.Ms.No.338, Finance (Pay Cell) Department, dated 26.08.2010 and in the scale of pay of Rs.5200-20200+G.P.2600/- with effect from 19.05.2009 in Selection Grade post of T.B.Watchman as per Letter Roc.No.45529/F.3/2010-1, dated 03.10.2012, of the Commissioner of Municipal Administration Department and disburse the arrears of pay and allowances within a time limit to be fixed by this court.

2.The respondents have passed an order, dated 07.01.2015, denying the benefits which is challenged in this Writ Petition. However, in the impugned order, there is no reference to the Writ Petition W.P.(MD)No.14537 of 2014.

3.When the Writ Petition was taken up for hearing, the learned Counsel appearing for the petitioner submitted that again the respondents have passed an order, dated 17.07.2019, denying the benefits and the same was challenged in another Writ Petition W.P.(MD)No.130 of 2020. The said Writ Petition came up for hearing on 05.01.2022 and the orders are reserved. It is submitted by the learned Counsel appearing for the petitioner that the impugned order, dated 07.01.2015, is regarding the same issue and it is put to challenge in W.P.(MD)No.130 of 2020.

4.Therefore, this Court is recording the statements and this Court is of the considered opinion that this present Writ Petition has become infructuous.

5.Hence, the present Writ Petition is dismissed as infructuous. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (AE)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

Tmg

Note:

In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the Advocate/litigant concerned.

<https://hcservices.ecourts.gov.in/hcservices/>



To

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Dindigul District.

+1 CC to M/s.SPL.GP (SR-2025[F] dated 21/01/2022)

W.P. (MD)No.3724 of 2015
20.01.2022

NSN(CO)

GC(08.02.2022) 3P 6C