



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.02.2023

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

W.P No.3319 of 2023

R.Chandramohan

Petitioner

vs.

1.The Secretary,
Finance Department (Pay Cell) Department,
Secretariat,
Government of Tamil Nadu,
St. George Fort, Chennai – 600 009.

2.The Commissioner,
Archeology Department,
Tamil Valarchi Salai,
Egmore, Chennai – 600 008.

Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the First Respondent to fix the petitioner's salary in the pay scale of 15600-39100 with grade pay 5400 level 22 as per the recommendation dated 06.06.2017 made by the second respondent.

For Petitioner : Mr.A.Panneerchelvam

For Respondents : Mrs.E.Indhumathi
Government Advocate

**ORDER**

This writ petition has been filed for issue of writ of mandamus directing the 1st respondent to fix the pay scale of the petitioner as per the recommendation dated 06.06.2017 made by the 2nd respondent.

2.The case of the petitioner is that he joined as a Librarian in the year 2003 in the office of the Curator, Anna Centenary Library, Kotturpuram. According to the petitioner, his pay scale was erroneously fixed by the 2nd respondent. The petitioner made a representation in this regard and the 2nd respondent through letter dated 06.06.2017 ascertained that there was an anomaly in fixing the pay scale and hence, made a recommendation to the 1st respondent for fixing the proper pay scale in the post that was held by the petitioner. The recommendation was also followed up with yet another communication made by the 2nd respondent on 12.09.2022 to the 1st respondent.

3.The grievance of the petitioner is that the 1st respondent has not acted upon the recommendation made by the 2nd respondent and left with no other option, the present writ petition has been filed before this Court.



4. Heard Mr.A.Panneerchelvam, learned counsel appearing on behalf of the petitioner and Mrs.E.Indhumathi, learned Government Advocate appearing on behalf of the respondents.

5. Taking into consideration the facts and circumstances of the case and also of the fact that the 2nd respondent has already made a recommendation to the 1st respondent by pointing out to the anomaly in the fixation of pay scale, there shall be a direction to the 1st respondent to take a decision, within a period of six weeks from the date of receipt of copy of this order. The petitioner is directed to make a fresh representation to the 1st respondent along with all the relevant documents and also a copy of this order. A copy of the representation shall also be marked to the 2nd respondent.

6. This writ petition is disposed of with the above direction. No Costs.

08.02.2023

Index : Yes/No
Internet : Yes/No
Speaking Order/Non-Speaking Order
Neutral Citation Case : Yes/No
SSR



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N. ANAND VENKATESH, J.

SSR

To

1. The Secretary,
Finance Department (Pay Cell) Department,
Secretariat,
Government of Tamil Nadu,
St. George Fort, Chennai – 600 009.

2. The Commissioner,
Archeology Department,
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