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W.P.No.7035 of 2011

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.06.2023

CORAM

THE HONOURABLE MR.JUSTICE MOHAMMED SHAFFIQ

W.P.No.7035 of 2011

V.Ananda Kumar

... Petitioner

Vs.

1.The Director General,
Highways Department,
Chepauk, Chennai 5.

2.The Superintending Engineer (Highways),
Projects Circle,
Guindy, Chennai 25.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Certiorarified Mandamus, calling for the records of the 2nd respondent in order having Ref.No.Ku.No.4/2010/A1, dated 22.10.2010 and quash the same and consequently direct the 1st respondent to grant special Grade to the Petitioner in the post of store clerk by fixing the scale of pay at Rs.4300-100-6000 with effect from 01.01.1999 and pay the arrears of pay.

For Petitioner : Mrs.Uma for
Mr.N.R.R.Arun Natarajan



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For Respondents : Mrs.Geetha Thamaraiselvan,
Special Government Pleader for R1, R2.

ORDER

The writ petition has been filed to quash the order dated 22.10.2010 and consequently direct the first respondent to grant Special Grade of pay to the petitioner to the post of Store Clerk by fixing the scale of pay at Rs.4300-100-6000 with effect from 01.01.1999 and pay the arrears of pay.

2. The learned counsel for the respondents submitted that on the basis of the counter the petitioner has been given Selection Grade Pay and then Special Grade pay with effect from 01.01.2000. It was submitted in view of the same, the petitioner grievance would no longer survive, which was concurred to by the learned counsel for the petitioner. The relevant portion of the counter is extracted hereunder:

“I submit that with regard to the averments and claim made at para 2,3, & 4, it is specifically denied as false. I submit that as per the Service Record entries and that are available at the office, the petitioner in the cadre of Store Clerk he was given selection Grade with effect from 01.01.1990 in the scale of Rs.1200-30-1560-40-2020 and then Special Grade was granted with effect from 01.01.2000 in the scale of 4300-100-6000. I further submit that the petitioner was paid arrears of salary from 01.01.200 to 06.07.2003 and further he was also paid annual increment on 01.07.2000, 01.07.2022 and



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01.07.2003 and he was authorised for arrears from 01.07.2000”

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3. Recording the same, the Writ Petition stands closed with liberty to the petitioner in case, there is any discrepancy in payment in terms of the counter, it is always open to the petitioner to approach the respondents. No costs.

23.06.2023

Speaking (or) Non Speaking Order

Index : Yes/ No

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To

1.The Director General,
Highways Department,
Chepauk, Chennai 5.

2.The Superintending Engineer (Highways),
Projects Circle,
Guindy, Chennai 25.



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MOHAMMED SHAFFIQ, J.

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