



W.P.No.5045 of 2012

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED: 26.09.2023

CORAM

THE HON'BLE Mr. JUSTICE **G.K.ILANTHIRAIYAN**

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1. V.Srinivasan
2. S.Babu
3. S.Annalakshmi
4. V.Theivavalli
5. R.Edwin Bright Jose
6. G.Uma Maheswari
7. S.Maharajan
8. D.Selvi
9. S.Kalavathi
10. J.Arockia Anbarase
11. I. Selvarani
12. S.Varalakshmi
13. M.V.D.Tamizh Chelvan
14. G.Srinivasan
15. K.Ezhilarasan
16. R.Betcy Gnanalatha
17. A.P.Baskar
18. P.Selvakumar
19. T.Ashok Kumar
20. T.Vijayakumar
21. M.Shanmugavadivu
22. D.G.Ravi Chandran
23. C.Rajaram
24. S.A.Rajagopalan
25. S.Sathyamoorthy
26. N.S.Kannan
27. E.Mahadevan
28. A.Paul Selvam

....

Petitioners



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Vs

1. The Government of Tamilnadu,
Represented by its Secretary,
Finance Department,
Fort St.George, Chennai – 600 009.

2. The Commissioner of Municipal Administration,
Chepauk, Chennai – 5

.... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the respondents to grant the scales of pay to the Assistant Engineers, Assistant Executive Engineers and Executive Engineers of Tamil Nadu Municipal Engineering Service with effect from 01.01.2006 notionally and monetarily with effect from 01.08.2010 on par with that of the Assistant Engineers, Assistant Executive Engineers and Executive Engineers of Public Works Department as ordered in G.O.Ms.No.312 Finance (Pay Cell) Department dated 26.08.2010 based on the recommendation of the One Man Commission.

For Petitioner	.. Mr. N. Subramaniyan
For Respondents	.. Mr. K.H.Ravi Kumar Government Advocate

ORDER

This Writ Petition has been filed for direction directing the respondents to grant the scales of pay to the Assistant Engineers, Assistant Executive Engineers and Executive Engineers of Tamil Nadu Municipal Engineering Service with effect from 01.01.2006 notionally and monetarily



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with effect from 01.08.2010 on par with that of the Assistant Engineers, Assistant Executive Engineers and Executive Engineers of Public Works Department as ordered in G.O.Ms.No.312 Finance (Pay Cell) Department dated 26.08.2010 based on the recommendation of the One Man Commission.

2. It is however, submitted by the learned counsel for the petitioners that the issues raised on similar aspects by other employees had reached the portals of the Hon'ble Supreme Court and finally, by a judgment in Civil Appeal No.10029 of 2017 dated 28.11.2019, the Hon'ble Supreme Court had issued the following directions, which are quite exhaustive in nature:-

“18.But, it has been more than five years since the directions were issued by the Division Bench of the High Court and as a result of the interim orders passed by this Court, the PGRC could not be set up. In the circumstances, certain modifications in the directions issued by the Division Bench in para 5 of its order are called for and we proceed to direct:-

(A) Direction No.(i) as issued by the Division Bench is reiterated except that Mr. Justice A. S. Venkatachalamoorthy having now expressed his willingness, Mr. Justice D. Murugesan, formerly Chief Justice, High Court of Delhi is appointed as Chairman of the Pay Grievance Redressal Committee.



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(B) Direction No.(ii) as issued by the Division Bench is accepted and it is added that the Chairman of the PGRC will be at liberty to co-opt any two experts as he deems appropriate as members of the PGRC, who shall be paid such honorarium by the State Government, as the Chairman deems appropriate.

(C) Direction Nos.(iii) and (v) to (vii) issued by the Division Bench are accepted and do not call for any change.

(D) Instead of Rs.1.5 lakhs per month, we fix the honorarium of the Chairman of the PGRC at 3.5 lakhs per month but the other parts of the Direction No.(viii) are maintained.

(E) Direction No.(ix) issued by the Division Bench is accepted and does not call for any change.

(F). It is further directed:-

a). Within a week from today, the State Government shall issue appropriate orders constituting the PGRC as stated above.

b). Within a week thereafter, the State Government shall make appropriate and adequate arrangements and provide office space befitting the status of the Chairperson and other Members and also provide adequate staff, secretarial assistance and other facilities.

c). Within two weeks of the constitution of the PGRC all the concerned individuals/associations shall file their



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representations. No representation filed beyond the period of two weeks shall ordinarily be accepted by the PGRC.

d).Direction No.(iv) issued by the Division Bench shall stand modified to the aforesaid extent.

e).These directions are in addition to and in further elaboration of direction No.(vii) issued by the Division Bench.

3. It is also stated that consequent to the directions, a report had also been given by the Chairman of PGRC and the matter is now pending for consideration before a learned Single Judge of this Court on reference by the Chairman of PGRC. Any decision taken by the learned Single Judge would bind the petitioners.

4. In view of the above, this Writ Petition is disposed of. However, if the petitioners have any possible grievance, they are always at liberty to reopen the issue. No costs.

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Index:Yes/No
Internet:Yes/No
Neutral Citation: Yes/No
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G.K.ILANTHIRAIYAN, J.

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To

1. The Secretary to the Government,
Finance Department,
Fort St.George, Chennai – 600 009.
2. The Commissioner of Municipal Administration,
Chepauk, Chennai – 5.

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