



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06.07.2023

CORAM

THE HON'BLE Mr. JUSTICE **C.V.KARTHIKEYAN**

W.P.No.299 of 2016

and

W.M.P.Nos.191 and 22411 of 2016

1. N. Somasundaram
2. R. Kalaiyarasan
3. P. Davamani

.. Petitioners

Vs.

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

- 2.K. Shanmugam, I.A.S.,
Principal Secretary to Government,
Finance Department,
Fort St. George, Chennai – 600 009.

- 3.The Director of Rural Development &
Panchayat Raj Department,
Panagal Building, Saidapet, Chennai – 15.

.. Respondents

R2 deleted as per order dated 06.01.2016
by MKKSJ in W.P.No.299 of 2016.



Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorari, calling for the records on the file of the 2nd respondent relating to the issue of 2nd respondent's Letter No.53137/Pay Cell/2015-1 dated 25.09.2015 and to quash the same.

For Petitioner	.. Mr. N. Subramaniyan
For Respondents	.. Mr. S. Ravikumar, Special Government Pleader

ORDER

This Writ Petition has been filed in the nature of Certiorari seeking records relating to a letter dated 25.09.2015 in No.53137/Pay Cell/2015-1 issued by the 2nd respondent and to interfere with the same.

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:-



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“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.

(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.



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(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 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.

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

06.07.2023

Index: Yes/No
Internet: Yes/No
Neutral Citation: Yes/No
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To

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Finance Department,
Fort St. George, Chennai – 600 009.
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C.V.KARTHIKEYAN,J.

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