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W.P.No.23317 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.08.2023

CORAM :

THE HONOURABLE MR. JUSTICE N. SATHISH KUMAR

W.P.No.23317 of 2023

B.Saravanan

... Petitioner

Vs.

1.The State of Tamil Nadu

represented by the Additional Chief Secretary to Government,
Tourism, Culture and Endowment Department,
Secretariat,
Chennai – 9.

2.The Additional Chief Secretary to Government,
Finance Department,
Secretariat,
Chennai – 9.

3.The Commissioner of Museums,
Egmore,
Chennai – 8.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus to direct the 1st, 2nd and 3rd respondents to allow the scale of pay Rs.950-1500 to the post of Technical Assistant, Government Museum w.e.f. 20.07.1992 as per the orders issued in Government Letter No.88189/PC-IA/89-1, Finance (Pay Commission) Department, dated 23.08.1989, G.O.Ms.No.511, Finance (Pay Cell) Department, dated 01.08.1992 and consequential revision of scale of pay



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as per the revised scales of pay ordered by the Government from time to time with monetary benefits.

For Petitioner : Mr.R.Thomas

For Respondents : Mr.P.Baladhandayutham
Special Government Pleader

ORDER

This writ petition has been filed to direct the 1st, 2nd and 3rd respondents to allow the scale of pay of Rs.950-1500 to the post of Technical Assistant, Government Museum, w.e.f. 20.07.1992, as per the orders issued in Government Letter No.88189/PC-IA/89-1, Finance (Pay Commission) Department, dated 23.08.1989, G.O.Ms.No.511, Finance (Pay Cell) Department, dated 01.08.1992 and to consequently revise the scale of pay of the petitioner as per the revised scales of pay ordered by the Government from time to time with monetary benefits.

2.The petitioner states that he was appointed as Attender on 18.03.1986 in the 3rd respondent Museum and even at the time of appointment, he was in possession of S.S.L.C. and National Trade Certificate in Painting which he had passed in the year 1982. Subsequently, he was promoted to the post of Technical Assistant.



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Thereafter, as per the recommendations of the One Man Commission and

other subsequent pay revisions, ultimately, the petitioner's pay was fixed at

Rs.825-1200. However, it is the grievance of the petitioner that, as per

G.O.Ms.No.511, Finance (Pay Cell) Department, dated 01.10.1992, the

Government have allowed all Grade-II Posts requiring I.T.I. Certificate

irrespective of academic qualification, to be fixed with the scale of pay of

Rs.950-1000. Therefore, it is the contention of the petitioner that, as per

the said Government Order, since the petitioner is in possession of I.T.I.

Certificate even at the time of his appointment, his pay ought to have been

fixed at Rs.950-1000. It is the further contention of the petitioner that the

3rd respondent has also recommended for revision of pay of the petitioner

and other similarly placed persons in the Government Museum, to revise

their pay scale from Rs.825-1200 to Rs.950-1000 in the post of Technical

Assistant. In this regard, the petitioner has also submitted his

representations on 14.12.2020 and 10.02.2023. However, no orders have

been passed so far. Hence, the writ petition.

3.Heard the learned counsel for the petitioner and

Mr.P.Baladhandayutham, learned Special Government Pleader, who takes

notice for the respondents.



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4.Considering the facts and circumstances of the case and also having regard to the fact that the 3rd respondent has also recommended for revision of pay scale, the respondents are directed to consider the representation of the petitioner dated 10.02.2023 and pass appropriate orders, on merits and in accordance with law, within a period of one month from the date of receipt of a copy of this order.

5.With the above direction, this writ petition is disposed of. No costs.

09.08.2023

mkn

Internet : Yes

Index : Yes / No

Neutral citation : Yes / No

Speaking order / Nonspeaking order

To

1.The Additional Chief Secretary to Government,
State of Tamil Nadu
Tourism, Culture and Endowment Department,
Secretariat,
Chennai – 9.



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2.The Additional Chief Secretary to Government,
Finance Department,
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3.The Commissioner of Museums,
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N. SATHISH KUMAR, J.
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