



W.P.No.29111 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.10.2023

CORAM

THE HONOURABLE MRS.JUSTICE BHAVANI SUBBAROYAN

W.P.No.29111 of 2023

K.Nagarajan

... Petitioner

Vs.

1.The Commissioner of Police
Greater Chennai,
Vepery, Chennai – 600 007.

2.The Joint Commissioner of Police
South Zone, St. Thomas Mount,
Chennai – 600 016.

... Respondents

PRAYER:- Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents 1 & 2 to draw the pay anomaly arrears as in the pay rectification order passed by the 2nd respondent on 11.09.2017 and to pay to the petitioner or other orders.

For Petitioner : Mr.M.Selvaraj

For Respondents : Mr.V.Yamuna Devi
Special Government Pleader



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ORDER

The petitioner has filed this Writ petition seeking issuance of a Writ of Mandamus to direct the respondents to draw the pay anomaly arrears as in the pay rectification order passed by the 2nd respondent on 11.09.2017 and to pay to the petitioner or other orders.

2. The case of the petitioner is that he had jointed as a Constable in Chennai city on 10.02.1977 and got superannuated as a Sub-Inspector of Police on 31.05.2013. While that being so, the petitioner had pay anomaly in his pay structure and hence, he gave a representation to the Joint Commissioner of Police, South Zone, Chennai (R2) on 07.02.2017, the same was acknowledged and a rectification order was passed on 11.09.2017. As per the pay rectification order, the petitioner's basic pay was fixed as Rs.18,970/- (14170 + 4800). As per the last pay drawn ie., May 2013, the petitioner had received a pay of 12970 + 4800 and therefore, there is a difference of Rs.1,200/- in the basic pay. On the basic pay rectification order dated 11.09.2017, passed by the 2nd respondent, the Accountant General of Tamil Nadu revised the pension along with arrears amount from



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01.06.2013. The further case of the petitioner is that on the basis of the pay rectification order of the 2nd respondent, dated 01.09.2017, the petitioner was not granted the arrears amount for the anomaly period between 01.10.1996 and 01.05.2013. Therefore, the petitioner gave a representation to the 2nd respondent, dated 09.06.2023 and another one to the 1st respondent on 24.06.2023 through RPAD representation. But, till date no action has been taken on the same. Hence, this present petition is filed.

3. Though very many grounds have been raised, learned counsel for the petitioner submits that it would suffice if this Court issues direction to the 2nd respondent to consider the petitioner's representation dated 24.06.2023 and pass orders on the same within a particular time frame fixed by this Court.

4. The learned Government Advocate has no objection for said order being passed and he fairly conceded that the petitioner's representation dated 24.06.2023 will be considered and appropriate orders will be passed within the time stipulated by this Court.



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5. In view of the aforesaid submissions, this Court without expressing any opinion on the merits of the case directs the respondents to consider the petitioner's representation dated 24.06.2023 on merits and in accordance with law and to pass appropriate orders, within a period of twelve weeks from the date of receipt of a copy of this order.

6. This writ petition is accordingly disposed of. No costs. Consequently, connected Miscellaneous petition is closed.

10.10.2023

skt

Neutral citation : Yes/ No
Speaking Order : Yes/ No
Index : Yes/ No

To

The Family court,
Erode.

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V.BHAVANI SUBBAROYAN., J.

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