



W.P.(MD)No.1331 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 24.01.2023

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.(MD)No.1331 of 2023

M.Mayandi

... Petitioner

Vs.

1.The Principal Secretary to the Government,
Finance Department,
Fort St.George,
Chennai-9.

2.Tamil Nadu Khadi and Village Industries Board,
Represented by the Chief Executive Officer,
Kuralagam,
Chennai-600 108.

3.The Assistant Director,
Tamil Nadu Khadi and Village Industries Board,
Madurai.

4.The Assistant Director,
Tamil Nadu Khadi and Village Industries Board,
Tirupur.

5.The Accountant General
Office of the Accountant General (A&E)
361, Anna Salai,
Teynampet, Chennai-600 018.

... Respondents



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PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, praying for issuance of Writ of Mandamus, directing the respondents herein to revise the scale of pay of the writ petitioner, pursuant to the recommendation made by the 2nd respondent vide proceedings in Lr.Rc.No. 13717/EI(2)/2009, dated 27.05.2010 and G.O.Ms.No.325, Finance (Pay Cell) Department, dated 22.07.2013 and consequently revise the pensionary benefits of the writ petitioner with all monetary benefits, by considering the representation dated 11.03.2022 given by the writ petitioner within a time frame fixed by this Court.

For Petitioner	:	Mr.M.Karthick
For R1	:	Mr.S.P.Maharajan
		Special Government Pleader
For R2 to R4	:	Mr.Raguvaran Gopalan
For R5	:	Mr.P.Gunaseelan

ORDER

This writ petition has been filed for issuance of a writ of Mandamus, directing the respondents to revise the scale of pay of the writ petitioner, pursuant to the recommendation made by the 2nd respondent vide proceedings dated 27.05.2010 and G.O.(Ms.)No.325, Finance (Pay Cell)



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Department, dated 22.07.2013 and consequently revise the pensionary benefits of the writ petitioner with all monetary benefits, by considering the representation dated 11.03.2022 given by the writ petitioner.

2. The case of the petitioner is that he was appointed as Fitter in the year 1988 on temporary basis. Thereafter, his appointment was regularised by the second respondent dated 23.07.1999. The 5th Pay Commission came into effect from 01.06.1988. His post was upgraded as Fitter Grade – I with effect from the date of his appointment ie., 21.09.1988 vide proceedings dated 06.12.2010, but his scale of pay was revised only with effect from the date of issuance of the said proceedings. Aggrieved by the same, he has made a representation to the Department, seeking to give monetary benefits from the date of upgradation. Again the petitioner has made a representation to the respondents on 11.03.2022, seeking to revise the scale of pay and the pensionary benefits with all monetary benefits. However, till date no order has been passed. Hence, the present writ petition has been filed.



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3. The learned counsel appearing for the petitioner would submit that this Court may issue a direction to the second respondent to consider the petitioner's representation dated 11.03.2022 and pass appropriate orders within a reasonable time as fixed by this Court.

4. Heard the learned counsel appearing for the petitioner and the learned counsel appearing for the respondents.

5. Considering the limited request made by the learned counsel for the petitioner, this Court, without going into the merits of the matter, directs the second respondent to consider the petitioner's representation dated 11.03.2022 and pass appropriate orders, on merits and in accordance with law, within a period of four weeks from the date of receipt of a copy of this order.



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6. With the above direction, this Writ Petition is disposed of. No costs.

24.01.2023

NCC : Yes/No
Index : Yes / No
Speaking Order : Yes / No

akv



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M.DHANDAPANI,J.

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