



W.P(MD)No.18061 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 26.07.2023

CORAM

THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI

W.P(MD).No.18061 of 2023

V.Ramanathan

...Petitioner

Vs.

1. The Director of Local Fund Audit,
Finance Department Buildings,
4th Floor, Nandhanam,
Chennai – 600 035.

2.The Regional Joint Director of Local Fund Audit,
Tirunelveli,
Tirunelveli District.

3.The Assistant Director of Local Fund Audit,
Virudhunagar,
Virudhunagar District.

...Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus directing the 1st respondent to pass appropriate orders for stepping up of the pay of the petitioner at Rs. 20,840/- (16440+4400) with effect from 04.07.2007 on par with the petitioner's Junior for the purpose of consequential Pensionary benefits, by considering the representation of the petitioner, dated 11.10.2021 within the period stipulated by this Court.

For Petitioner

: Mr.K.Ponnaiah

For Respondents

: Mr.M.Prakash

Government Advocate



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ORDER

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This Writ Petition has been filed for issuing direction to the 1st respondent to pass appropriate orders for stepping up of the pay of the petitioner at Rs.20,840/- (16440+4400) with effect from 04.07.2007 on par with the petitioner's Junior for the purpose of consequential Pensionary benefits, by considering the representation of the petitioner, dated 11.10.2021 within the period stipulated by this Court.

2. Heard the learned counsel appearing on either side and perused the materials available on record.

3. The petitioner was serving as Inspector of Local Fund Audit at the time of superannuation on 31.12.2012. He joined service as Junior Assistant and subsequently, promoted as Assistant Inspector and was awarded with selection grade in the post of Assistant Inspector and thereafter, he was promoted as Deputy Inspector on 03.04.2005 and further promoted as Inspector on 01.11.2011 and retired from service on 31.12.2012 as to the post of Deputy Inspector as on 04.07.2007 at Rs.19,690/- (15,090 + 4600).



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4. The petitioner's Junior viz., P.Gowri, who joined as Typist, later promoted as Assistant Inspector on 04.07.1987, was awarded with selection grade in the post of Assistant Inspector on 04.07.1997 and further awarded with Selection Grade in the post of Assistant Inspector on 04.07.1997 and further promoted as Deputy Inspector on 01.07.2007 and awarded with Selection Grade in the post of Deputy Inspector on 04.07.2007 with sanction of two increments by fixing the pay at Rs.20,840/- (16440 + 4400) and retired on 31.12.2009. However, there are discrepancies between the fixation of pay and further increments between the petitioner and his Junior viz., Gowri. When the said anomaly came to the notice of the petitioner he sent a representation, dated 11.10.2021 through the third respondent to the first respondent for rectification of anomaly by stepping up his pay on par with his junior at Rs.20,840/- (16440+ 4400) with effect from 04.07.2007. The petitioner's representation was forwarded to the first respondent by the third respondent through the second respondent. However, the same was not considered endlessly. Hence, this Writ Petition came to be filed.

5. The learned counsel appearing for the petitioner drew my



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attention to the information received under the Right to Information Act, 2006

which would reveal that the petitioner's representation was received by the 3rd respondent's office on 25.10.2021.

6. In view of the same, this Court is inclined to direct the first respondent to pass appropriate orders for stepping up of the pay on par with his junior with effect from 04.07.2007 and consequential pensionary benefits considering the petitioner's representation, dated 11.10.2021 in accordance with law within a period of twelve weeks from the date of receipt of a copy of this order.

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

26.07.2023

Index : Yes / No
Internet : Yes/ No
trp



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L.VICTORIA GOWRI, J.,

trp

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