



WEB COPY



W.P. No.22449 of 2012

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.08.2024

CORAM :

THE HONOURABLE MR. JUSTICE MUMMINENI SUDHEER KUMAR

W.P.No.22449 of 2012

1.G.Ramalingam

2.D.Nagamuthu

3.D.Selvaraj

4.R.Jabamalai

5.P.Manisekaran

6.K.Kumar

7.D.Kumar

8.A.Kannan

9.A.Subramani

10.T.David Jabasingh

1.M.Mohamed Ali

12.S.Muthuvadivu

13.K.Natarajan

14.V.Vasumathi

Page No.1 of 7



W.P. No.22449 of 2012

15.B.Bhuvaneswari

16.N.Revathi

17.M.I.Mohamed Shaffiyullah

18.S.Gunasekaran

19.A.Rajamani

... Petitioners

Vs.

1.The State of Tamil Nadu

Rep. by the Secretary to Government
Finance Department, Fort. St. George
Chennai – 600 009.

2.Tamil Nadu Civil Supplies Corporation

Rep. by its Chairman and Managing Director
No.12, Thambusamy Road, Kilpauk
Chennai – 600 010.

3.The General Manager (Administration)

Tamil Nadu Civil Supplies Corporation
No.12, Thambusamy Road, Kilpauk
Chennai – 600 010.

...Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying for issuance of Writ of mandamus directing the respondents to grant the selection grade and special grade pay of Rs.5000 – 8000 and Rs.5500 – 9000 respectively as per the Tamil Nadu Revised Pay Scale Rules, 1998, with effect from 01.01.1996 and the pay band of Rs.9300 – 34800 with a grade pay of Rs.4300 and Rs.4500 respectively with effect from 01.01.2006 with all



W.P. No.22449 of 2012

arrears, back wages, revised superannuation and all other retired benefits with interest at the rate of 18% per annum from the date of which, the amount became due till the date of disbursement.

For Petitioners : Ms.Chandini Rajkishore
for T. Sai Krishnan

For R1 : Ms.R.L.Karthiga
Government Advocate

For R2 & R3 : Mr.C.Selvaraj

ORDER

All the petitioners herein, who are working in different cadres in the 2nd respondent Corporation, approached this Court by filing the present writ petition seeking writ of mandamus to direct the respondents to grant the selection grade and special grade pay of Rs.5000 – 8000 and Rs.5500 – 9000 respectively as per the Tamil Nadu Revised Pay Scale Rules, 1998, with effect from 01.01.1996 and the pay band of Rs.9300 – 34800 with a grade pay of Rs.4300 and Rs.4500 respectively with effect from 01.01.2006 with all arrears, back wages, revised superannuation and all other retired benefits with interest at the rate of 18% per annum from the date of which, the amount became due till the date of disbursement.



2. It is the case of the petitioners that the petitioners basing upon their eligibility, they were granted selection grade and special grade.

Thereafter, the Tamil Nadu Revised Scale of Pay Rules came into force revising the grade pay of the employees working in the State Government.

However, such benefit was not extended to the employees of the 2nd respondent Corporation like the petitioners. Therefore, the petitioners approached this Court by filing the present writ petition in the year 2012.

3. Though counter affidavit was filed by the 3rd respondent in the year 2013, the same does not deal with the claim that was made by the petitioners in the writ petition.

4. The learned counsel appearing for the 2nd and 3rd respondents submitted that, a Committee was formed for the purpose of considering the claims of the petitioners as made in the writ petition and appropriate recommendations was made to the State Government. However, all such facts are not stated in the counter affidavit that was filed in the year 2013. Further, the claims of the petitioners as made in the present writ petition has



not been considered by the respondents so far and no orders have been passed in that regard.

5. As seen from the cause title, all the petitioners must have been retired from service long back. Considering the above facts, this Court is of the considered view that it would be appropriate to allow the respondents, at the first instance to consider the claims of the petitioners and to pass appropriate orders on the claim being made by the petitioners in accordance with law.

6. In the light of the above, the writ petition is disposed of granting liberty to the petitioners to submit individual representation before the 2nd and 3rd respondents within a period of two (2) weeks from the date of receipt of a copy of this order, duly making their claim as is made in the present writ petition and in case, if any such representation is submitted by the petitioners, the same shall be considered by the respondents and appropriate orders be passed thereon within a period of eight (8) weeks from the date of submission of the representation of the individual.



W.P. No.22449 of 2012

WEB COPY

7. Accordingly, the writ petition is disposed of and the connected miscellaneous petitions, if any shall stand closed. No costs.

05.08.2024

Index : Yes/No
Speaking Order : Yes/No
dpa

To:

- 1.The Secretary to Government
State of Tamil Nadu
Finance Department, Fort. St. George
Chennai – 600 009.
- 2.The Chairman and Managing Director
Tamil Nadu Civil Supplies Corporation
No.12, Thambusamy Road, Kilpauk
Chennai – 600 010.
- 3.The General Manager (Administration)
Tamil Nadu Civil Supplies Corporation
No.12, Thambusamy Road, Kilpauk
Chennai – 600 010.



WEB COPY



W.P. No.22449 of 2012

MUMMINENI SUDHEER KUMAR,J.

dpa

W.P.No.22449 of 2012

05.08.2024