



WEB COPY



W.P. No. 9036 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.04.2024

CORAM

THE HON'BLE MR. JUSTICE D.BHARATHA CHAKARAVARTHY

W.P. No. 9036 of 2024

V.Dharmarajan

... Petitioner

-VS-

1. The Director of Animal Husband
and Veterinary Service
DMS Buildings, Chennai-600006.

2. The Deputy Director
District Livestock Farm
Hosur, Krishnagiri District.
Respondents

...

Prayer:- Writ Petition filed under Article 226 of the Constitution of India, 1950, praying to issue a Writ of Mandamus, directing the Respondents to consider my representation dated 13.10.2023 and consequently direct the respondents to restore the petitioner's pay scale with grade pay of Rs. 2,800/- with effect from 18.12.2014, grant attendant benefits.

For Petitioner : Mr. T.Elumalai

For Respondents : Mr. P.Ganesan, GA (RR1 & 2)



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ORDER

Heard Mr. T.Elumalai, learned counsel for the petitioner and Mr. P.Ganesan, learned Government Advocate who takes notice on behalf of the Respondents and perused the materials placed on record, apart from the pleadings of the parties.

2. The petitioner is aggrieved by the downward revision of his salary. When the order was passed on 06.07.2016, the petitioner had earlier challenged the same by way of Writ Petition No. 37192 of 2016. By a judgment dated 04.07.2022, this Court passed the following order:-

“6. In the event of the concerned authorities failing to initiate fresh such proceedings within 30.09.2022, the scale of pay of the Petitioner shall be restored with effect from 18.12.2014 and any amount so far recovered from the Petitioner or further amount due to him pursuant to setting aside of the impugned order, shall be paid to him with specific details under written acknowledgment and report of compliance in that regard shall be filed before the Registrar (Judicial) of this Court.”

Thereafter, the respondents issued a show cause notice dated 25.09.2023 calling



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for explanation from the petitioner. The petitioner submitted a detailed explanation on 13.10.2023. However, no orders have been passed in respect thereof till date.

3. Mr. P.Ganesan, learned Government Advocate appearing on behalf of the respondents seeks time to get instructions in the matter. However, in view of the nature of the relief which is being granted by this Court, I am proceeding to pass the order on the main writ petition itself.

4. Since the petitioner has replied to the show cause notice and the same is kept pending, there shall be a direction to the respondents to consider the reply of the petitioner submitted to the show cause notice dated 13.10.2023 and pass final orders thereto in accordance with the law on merits within a period of eight weeks from the date of receipt of a copy of this order.

Accordingly, the writ petition is disposed. No costs.

03.04.2024

Index: Yes/No
NCC: Yes/No
Maya



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D.BHARATHA CHAKARAVARTHY, J.

Maya

To

1. The Director of Animal Husband
and Veterinary Service
DMS Buildings, Chennai-600006.
2. The Deputy Director
District Livestock Farm
Hosur, Krishnagiri District.

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