



WEB COPY



W.P.No.10788 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02.01.2024

CORAM:

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

W.P.No.10788 of 2022

M.Subramaniam

...Petitioner

-Vs-

1. The State Rep by
The Additional Chief Secretary to Government,
Fort St. George,
Chennai – 600 009.
2. The Director General of Police,
Mylapore, Chennai – 600 004.
3. The Deputy Inspector General of Police,
Coimbatore (CBE) Range,
Coimbatore.
4. The Superintendent of Police,
Erode District,
Erode.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondents to fix the pay scale of the petitioner based on G.O.(Ms)No.2228 dated 01.11.2018 issued by the first respondent and Order in R.C.No.42610/NGB.I(2)/2017 dated 17.10.2019, passed by the second respondent with effect from the date when the petitioner's seniority was fixed from 1986 Batch



W.P.No.10788 of 2022

as Rank No.11 and to pay all the arrears of wages and other consequential service benefits including revision of pension, after considering the petitioner's representations dated 02.02.2022 and 14.02.2022, within time frame fixed by this Court.

For Petitioner : Mr.K.T.S.Sivakumar

For Respondents : Mr.A.M.Ayyadurai
Government Advocate.

ORDER

The writ petition has been filed to direct the respondents to fix the pay scale of the petitioner based on G.O.(Ms)No.2228 dated 01.11.2018 issued by the first respondent and Order in R.C.No.42610/ NGB.I(2)/2017 dated 17.10.2019, passed by the second respondent with effect from the date when the petitioner's seniority was fixed from 1986 Batch as Rank No.11 and to pay all the arrears of wages and other consequential service benefits including revision of pension, after considering the petitioner's representations dated 02.02.2022 and 14.02.2022, within time frame fixed by this Court.

2. The petitioner was directly recruited as Sub Inspector of Police in the year 1976 and he was promoted as Inspector of Police in the year 1988. As per the Tamil Nadu State Police Subordinate Service



W.P.No.10788 of 2022

Rules, the seniority of directly recruited Sub Inspector of Police was fixed in accordance with the marks obtained by them in the Police Training College. The grievance of the petitioner is that his immediate senior pay scale was fixed equal to his immediate junior, but the petitioner's pay scale has not been duly revised so far. Though the petitioner made representation to the respondents 3 & 4, the same was not considered by them. Hence the petitioner filed the present petition.

3. Heard the learned counsel appearing on either side and perused the materials placed before this Court.

4. The learned Government Advocate appearing for the respondents submitted that there is no undue delay on the part of the respondents. The file which is sought by the respondents, in respect of fixation of pay scale to the petitioner, could not be received in time. It occurred only due to administrative transaction between the departments. Now the petitioner's pay scale has been revised by the fourth respondent herein by an order dated 10.06.2022 and the same is forwarded to Accountant General, Chennai, for further approval vide letter C.NO.P1/E-2617413/2022, dated 15.06.2022. After getting approval from the



W.P.No.10788 of 2022

Accountant General, Chennai, pay scale and other allied benefits will be revised to the petitioner.

5. Considering the above submission, the first respondent is directed to pass appropriate order to revise the petitioner's seniority within a period of eight weeks from the date of receipt of a copy of this Order. After approval from the Accountant General, Chennai, the second respondent is directed to revise the pay scale and other allied benefits of the petitioner within a period of eight weeks thereafter.

6. With the above directions, the Writ Petition stands disposed of. There shall be no orders as to costs.

02.01.2024

Internet: Yes

Index : Yes/No

Speaking/Non Speaking order

rts



W.P.No.10788 of 2022

To
WEB COPY

1. The Additional Chief Secretary to Government,
Fort St. George,
Chennai – 600 009.
2. The Director General of Police,
Mylapore, Chennai – 600 004.
3. The Deputy Inspector General of Police,
Coimbatore (CBE) Range,
Coimbatore.
4. The Superintendent of Police,
Erode District,
Erode.



WEB COPY



W.P.No.10788 of 2022

G.K.ILANTHIRAIYAN. J.

rts

W.P.No.10788 of 2022

02.01.2024