



W.P.No.30374 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.10.2024

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

W.P.No.30374 of 2024

B.Srinivasan
Emp No.693970

.. Petitioner

Vs.

1.The Government of Tamil Nadu,
Rep. by its Secretary,
Municipal Administration & Water Supply,
Namakkal Kavignar Maaligai,
Fort St. George, Chennai – 600 009.

2.The Commissioner,
Greater Chennai Corporation,
Rippon Building,
Chennai – 600 003.

3.The Superintendent Engineer,
Mechanical Engineering Department,
Greater Chennai Corporation,
Rippon Building,
Chennai – 600 003.

.. Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the 2nd respondent to fix the monetary benefit of Selection Grade pay scale of Rs.9300 – 34800 + 4200 as indicated in the Annexure of Government Letter No.63305/Pay Cell/2010-1 & 2, dated 08.11.2010 from the existing irrational fixation of



W.P.No.30374 of 2024

Selection Grade pay scale of Rs.5200 – 20200 + 2400/- notionally from the date of attainment of Selection Grade i.e., 25.05.2008 and monetary benefit from 01.04.2013 on the basis of the petitioner's representation dated 10.09.2024 within a stipulated time frame.

For petitioner : Ms.G.Kiruthika
For R1 : Mr.C.Selvaraj
Additional Government Pleader
For RR 2 & 3 : Mr.D.B.R.Prabhu
Standing Counsel

ORDER

This writ petition has been filed for the issue of writ of mandamus directing the 2nd respondent to fix the monetary benefit of selection grade pay scale as indicated in the annexure to the Government Letter dated 08.11.2010 and to notionally fix the selection grade pay and extend the monetary benefits to the petitioner based on the representation made by the petitioner on 10.09.2024.

2.Heard the learned counsel for the petitioner, learned Additional Government Pleader for the 1st respondent and the learned Standing Counsel for the respondents 2 & 3.

3.The case of the petitioner is that he joined the respondent



W.P.No.30374 of 2024

Corporation as a Cleaner in the year 1990. Later, he passed the necessary test and he was appointed in the post of Motor Mechanic – Class III in the year 1995. After the implementation of the 6th pay commission, the post of Motor Mechanic was re-designated as Skilled Assistant Grade-II. But however, selection grade pay scale of Rs.9300 - 34800 + 4200/- was not fixed as per the Government Letter dated 08.11.2010. Instead, it was fixed as Rs.5200 - 20200 + 2400/-. Even lesser amount was fixed for the other Motor Mechanics.

4.An attempt was made for recovery of the amount on the ground that a higher pay scale has been fixed to the Motor Mechanics. The same was challenged before this Court in a batch of writ petitions in W.P.No.7292, etc, batch of 2020. The same was allowed by an order dated 23.12.2021 and it was also upheld in the writ appeal. In view of the same, the respondent Corporation implemented the order and fixed Rs.9300 - 34800 + 4200/- by way of proceedings dated 22.09.2022. However, the same was not fixed in the case of selection grade. The petitioner therefore made representations in this regard. Since, it was not considered, the present writ petition came to be filed before this Court.



W.P.No.30374 of 2024

5. Taking into consideration the facts and circumstances of the case and the earlier order passed by this Court and the proceedings of the respondent Corporation dated 22.09.2022, there shall be a direction to the 2nd respondent to deal with the representation made by the petitioner on 10.09.2024 on its own merits and in accordance with law and a final order shall be passed within a period of six (6) weeks from the date of receipt of a copy of this order.

6. A fresh representation shall be made along with all the relevant documents and a copy of this order. A copy of the same shall also be marked to the 3rd respondent.

7. In the result, this Writ Petition is disposed of with the above directions. No costs.

17.10.2024

krk

Index : Yes / No
Internet : Yes / No
Neutral Citation : Yes / No

To



W.P.No.30374 of 2024

WEB COPY

- 1.The Government of Tamil Nadu,
Rep. by its Secretary,
Municipal Administration & Water Supply,
Namakkal Kavignar Maaligai,
Fort St. George, Chennai – 600 009.
- 2.The Commissioner,
Greater Chennai Corporation,
Rippon Building,
Chennai – 600 003.
- 3.The Superintendent Engineer,
Mechanical Engineering Department,
Greater Chennai Corporation,
Rippon Building,
Chennai – 600 003.

N.ANAND VENKATESH, J.

krk



WEB COPY



W.P.No.30374 of 2024

W.P.No.30374 of 2024

17.10.2024