



W.P.(MD).No.6269 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 14.03.2024

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THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI

W.P.(MD).No.6269 of 2024
and WMP(MD) Nos.5870, 5871 of 2024

M.Thinakara Pandian

... Petitioner

Vs

1. The Administrator/District Collector,
D.D.160, Dindigul District Co-Operative Milk Producers Union Ltd.,
No.9, East Govindapuram, Dindigul.

2. The General Manager,
D.D.160, Dindigul District Co-Operative Milk Producers Union Ltd.,
No.9, East Govindapuram, Dindigul.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, calling for the records relating to the impugned proceedings of the 2nd respondent in Na.Ka.No.1192/E1/2022, dated 22.01.2024 and quash the same as illegal and consequently direct the 2nd respondent to grant the petitioner the annual increment from the year 2019 onwards along with arrears and other applicable monetary benefits within the period that may be stipulated by this Court.

For Petitioner : Mr. M.R.Ilango
For Respondents : Mr.J.John Rajadurai (R1)
Government Advocate
Mr.K.Prabhu (R2)
Standing Counsel



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ORDER

The present writ petition has been filed challenging the impugned proceedings of the 2nd respondent in Na.Ka.No.1192/E1/2022, dated 22.01.2024 and consequently direct the 2nd respondent to grant the petitioner's annual increment from the year 2019 onwards along with arrears and other applicable monetary benefits within the period that may be stipulated by this Court.

2.By consent of both parties, considering the limited relief sought for by the petitioner, the Writ Petition is taken up for final disposal at the stage of admission itself.

3.Heard, the learned counsel appearing for the petitioner, the learned Government Advocate appearing for the first respondent and the learned Standing Counsel appearing for the second respondent. Perused the materials on record.



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4.The petitioner was initially appointed as Deputy Manager in the year 2013 and promoted as Manager (Engineering) on 18.06.2018. While so, the impugned order, dated 22.01.2024 came to be issued by the second respondent stating that the petitioner should be paid only with basic pay fixed in the year 2019, thereby, directed to withhold all the increments, even without giving notice or calling upon objections from the petitioner. Thereby, the petitioner was not granted with annual increments from the year 2020.

5.In view of the fact that the impugned order has been issued without affording an opportunity of hearing to the petitioner, this Court is of the considered view that it is a clear case of violation of principles of natural justice and hence, necessarily the impugned order will not stand in the scrutiny of the law. Hence, I hereby quash the impugned order, dated 22.01.2024 and remit the matter back to the second respondent for considering the matter afresh, after affording an opportunity of hearing to the petitioner after putting him on notice, if so advised.



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6. With the above direction, this writ petition stands allowed.

There shall be no order as to costs. Consequently, connected miscellaneous petitions are closed.

14.03.2024

NCC : Yes / No

Index : Yes / No

Internet : Yes

PNM

To

1. The Administrator/District Collector,
D.D.160, Dindigul District Co-Operative Milk Producers Union Ltd.,
No.9, East Govindapuram, Dindigul.
2. The General Manager,
D.D.160, Dindigul District Co-Operative Milk Producers Union Ltd.,
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L.VICTORIA GOWRI, J.

PNM

**ORDER IN
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