



WP No.30765 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED :18.08.2025

CORAM

THE HONOURABLE Ms. JUSTICE P.T. ASHA

W.P.No.30765 of 2025

P.Chinnadurai

... Petitioner

Vs.

1. The Director of Municipal Administration,
Urban Administrative Buildings,
No.75, Santhome High Road,
Raja Annamalaipuram,
Chennai 600 028.

2. The Commissioner,
Kangeyam Municipality,
Kangeyam, Tiruppur District

... Respondent

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying to direct the 1st respondent to consider the representation made by the petitioner on 08.01.2025 for repayment of the recovered amount and for restoration of his pay before reduction within a stipulated period of time and in accordance with law.

For Petitioner : Mr.R.Prem Narayan

For Respondents : Mr.C.Selvaraj
Additional Government Pleader

ORDER



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The above writ petition is filed seeking a direction to the 1st respondent to consider the representation made by the petitioner on 08.01.2025 for repayment of the recovered amount and for restoration of his pay before the reduction within a stipulated time.

2. The petitioner would submit that he was initially appointed as an N.M.R on daily wages in Kangeyam Municipality on 05.06.1985 and his services were regularized on 01.06.1988. He had retired from service on 30.04.2020. Based on G.O.Ms.No.338, Finance Department dated 26.08.2010, the 1st respondent had issued a letter dated 01.10.2012, directing all Municipal Commissioners to enhance the pay of unskilled workers. Accordingly, the petitioner's scale of pay was fixed at Rs.5200-20200+G.P.1900. However, by order dated 21.05.2015, the 1st respondent had superseded his earlier order dated 01.10.2012 by reducing the petitioner's pay and also directed recovery of any excess amount paid. Challenging this order, the petitioner, along with three others working in Kangeyam Municipality, had filed W.P.No.15899 of 2016 before this Court. The respondents had informed the petitioner that his pension papers would not be processed unless he withdrew the writ



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petition and consented for recovery. Being a last grade servant dependent on pension, the petitioner had withdrawn W.P.No.15899 of 2016 and remitted the alleged excess salary paid.

3. The petitioner would further submit that, after his retirement, he came to know about the order dated 01.02.2024 in W.P.No.11760 of 2020, wherein this Court had held that last grade servants appointed prior to 26.08.2010 were entitled to the pay scale under G.O.Ms.No.338. Since the petitioner was appointed prior to the said G.O, he is entitled to the same scale of pay. Further, the order of the 1st respondent dated 21.05.2015 has been quashed by this Court in a series of judgments, including W.P.No.1008 of 2016 etc. Pursuant to the said order, the recovery was waived and the amount already recovered was also repaid to the petitioner therein as well as to similarly placed employees. The petitioner has submitted several representations seeking extension of the benefit conferred in the above orders of this Court, however, the same has not been considered by the respondents. Hence, the present writ petition has been filed.

4. Heard the learned counsels on either side and perused the



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materials available on record.

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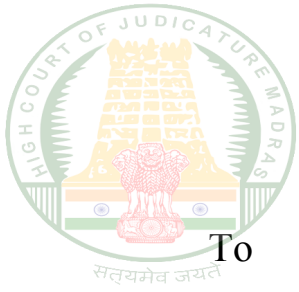
5. This Court taking into consideration the above facts and circumstances of the case is of the view that it would suffice to direct the respondent to dispose of the representation dated 08.01.2025. Accordingly, without going into the merits of the case, this Court directs the respondent to dispose of the representation of the petitioner's dated 08.01.2025, in accordance with law within a period of one month from the date of receipt of copy of this order and by taking into consideration the orders passed in favour of similarly placed persons.

6. With the above directions, this Writ Petition is allowed. No costs.

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Index : Yes/No
Speaking Order : Yes / No

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The Transport Commissioner,
Commissionerate of Transport and Road Safety,
Guindy, Chennai 600 032



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P.T. ASHA, J,

srn

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