



W.P.(MD)No.11209 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 22.04.2025

CORAM

THE HONOURABLE MR.JUSTICE BATTU DEVANAND

W.P.(MD)No.11209 of 2025

V.Ramanathan

... Petitioner

Vs.

1.The Principal Secretary to Government,
Finance Department,
Government of Tamil Nadu,
Secretariat,
Chennai - 9.

2.The Director of Local Fund Audit,
Perasiriyar Ka.Anbalagan Mazhigai,
4th Floor, Nandhanam,
Chennai - 600 035.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, to direct the first respondent to pass appropriate orders on the proposal submitted by the second respondent to step up the pay of the petitioner on par with his junior pending on the file of the first respondent in Letter No.7400737/உ.நி.2024 dated 22.05.2024 by considering the petitioner's representation dated 22.03.2025, within the period stipulated by this Court.



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For Petitioner : Mr.K.Ponnaiah

For Respondents : Mr.S.Saji Bino
Special Government Pleader

ORDER

Heard the learned counsel for the petitioner, the learned Special Government Pleader for the respondents and carefully perused the materials available on record.

2.The case of the petitioner is that he worked as Inspector of Local Fund Audit and he retired on 31.12.2012. It came to the notice of the petitioner that his junior is getting higher pay than him. Accordingly, he submitted a representation, dated 11.10.2021 to the first respondent through the Assistant Director of Local Fund Audit, Virudhunagar for rectification of anomaly by stepping up his pay on par with his juniors. His representation was forwarded to the Regional Joint Director of Local Fund Audit, Tirunelveli. Thereafter, there is no communication from the second respondent. The petitioner made another representation, dated 14.03.2023 requesting to inform the status of his representation, but there was no response for more than one year and 6 months.



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Thereafter, he sought information under Right to Information Act, 2005, with respect to the status of his representation. It is informed to the petitioner that his representation received on 25.10.2021 has forwarded to the Regional Joint Director of Local Fund Audit, Tirunelveli, which was received on 19.05.2022. Thereafter, the petitioner sent several representations repeatedly, Finally the second respondent sent proposal to the first respondent on 12.12.2023 and now, it is pending with the first respondent.

3.The grievance of the petitioner is that he is aged 71 years and consistently under the treatment of aging ailments forcing him for huge medical expenses and as such the delay on the part of the first respondent in passing orders on the proposal sent by the second respondent for more than one year is illegal arbitrary and unjust and he sought to allow the writ petition.

4. Admittedly, the proposal sent by the second respondent on 12.12.2023 is pending with the first respondent as per the materials placed before this Court. Under these circumstances, without going into the merits of the case in the considered opinion of this Court, it is appropriate and reasonable to dispose of the writ petition with a direction to the first respondent to consider the proposal sent by the second respondent on 12.12.2023 and pass appropriate



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orders to rectify the anomaly by stepping up his pay on par with his juniors within the time to be stipulated herein under to meet the interest of justice.

5. Accordingly, this writ petition is disposed of with a direction to the first respondent to consider the proposal, dated 12.12.2023 sent by the second respondent and pass appropriate orders in accordance with law within a period of four weeks from the date of receipt of a copy of this order.

No costs.

22.04.2025

NCC:yes/no
Index:yes/no
Internet:yes/no
Sn

To:

1. The Principal Secretary to Government,
Finance Department,
Government of Tamil Nadu,
Secretariat,
Chennai - 9.
2. The Director of Local Fund Audit,
Perasiriyar Ka. Anbalagan Mazhigai,
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BATTU DEVANAND, J.

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