



W.P.(MD)No.12974 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 29.04.2025

CORAM

THE HONOURABLE MR.JUSTICE BATTU DEVANAND

W.P.(MD)No.12974 of 2025

Baskaran

... Petitioner

Vs.

1. The State of Tamil Nadu,
Represented by its Secretary,
Public Works Department (PWD),
Fort St. George, Secretariat,
Chennai 600 009.
2. The Engineer in Chief (PWD) and Chief Engineer (General),
Public Works Department (PWD),
Kamarajar Salai, Chepauk,
Chennai - 600005.
3. The Chief Engineer (Building),
Public Works Department (PWD),
Madurai Region,
Madurai.
4. The Superintendent Engineer,
(Building - Construction and Maintenance),
Public Works Department (PWD),
Madurai Circle, Tallakulam,
Madurai.
5. The Executive Engineer (PWD),
Electrical Division - Public Works Department,
Tallakulam, Madurai.



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6. The Assistant Executive Engineer,
Electrical Sub-Division,
Public Works Department, Dindigul.

...Respondents

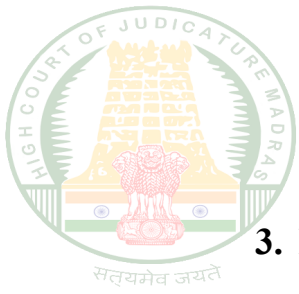
PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of writ of mandamus directing the respondents to grant the pay fixation and seniority w.e.f 09.11.1997 on completion of the 10 years of service and to pay the actual monetary benefit with effect from the date of issue of G.O.Ms. 334, Public Works (C2) Department, dated 19.10.2007.

For Petitioner : Mr.V.Kannan
For Respondents : Mr.P.Subbaraj
Special Government Pleader

ORDER

This Writ Petition has been filed for a Mandamus seeking a direction to grant the pay fixation and seniority for the petitioner with effect from 31.07.2002 on completion of ten years of service and to pay the actual monetary benefits with effect from the date of issuance of G.O.(Ms).No.334, Public Works Department, dated 19.10.2007 to enable the petitioner to make contribution to Gratuity Provident Fund pursuant to the proposal sent by the fourth and fifth respondents to the second respondent dated 09.10.2019.

2. Heard the learned counsel for the petitioner and Mr.P.Subbaraj, learned Special Government Pleader appearing for the respondents and perused the materials available on record.



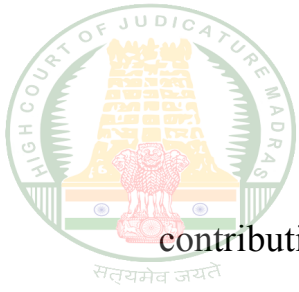
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3. Even though a positive direction is sought for in this Writ Petition, learned counsel appearing for the petitioner would submit that it would suffice the petitioner's representation seeking for the above mentioned relief is considered on merits and in accordance with law within a time frame to be fixed by this Court.

4. The learned Special Government Pleader accepted that the issue is covered by the order dated 05.09.2024 in WP(MD)No.2759 of 2021.

5. On 09.10.2019, the proposal was sent by the fourth and fifth respondents to the second respondent with regard to the petitioner's request. Admittedly, no final orders have been passed till date. No prejudice will be caused to the respondents if the petitioner's representation is considered on merits and in accordance with law within a time frame to be fixed by this Court.

6. Accordingly, this Court directs the petitioner to submit a fresh representation to the fifth respondent to grant pay fixation and seniority with effect from 31.07.2002 on completion of ten years and to pay the actual monetary benefits with effect from the date of issuance of G.O.(Ms).No.334, Public Works Department, dated 19.10.2007 to enable the petitioner to make



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contribution to the Gratuity Provident Fund pursuant to the proposal sent by the

fourth and fifth respondents to the second respondent dated 09.10.2019 within a period of two weeks from the date of receipt of a copy of this order. On receipt of the said representation, the fourth and fifth respondents shall send the said representation, along with the proposal submitted by him to the second respondent dated 09.10.2019, to the first respondent, within a period of four weeks from the date of receipt of the representation from the petitioner and on receipt of the said representation, the first respondent shall pass final orders on merits and in accordance with law within a period of twelve weeks thereafter.

7. Accordingly, this writ petition is disposed of.

There shall be no order as to costs.

Consequently, connected miscellaneous petition is closed.

29.04.2025

NCC:yes/no
Index:yes/no
Internet:yes/no
CM



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To:

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BATTU DEVANAND, J.

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