



W.P.(MD)No.19346 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 17.07.2025

CORAM:

THE HONOURABLE MR.JUSTICE VIVEK KUMAR SINGH

W.P.(MD)No.19346 of 2025

K.Sathurappan

... Petitioner

-VS-

1.The Chairman,
Tamil Nadu Grama Bank,
Head Office,
Yercaud Main Road,
Hasthampatti,
Salem - 636 007.

2.The Assistant General Manager,
HRM Department,
Tamil Nadu Grama Bank,
Head Office,
Yercaud Main Road,
Hasthampatti, Salem - 636 007.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents to calculate the petitioner's salary during the period from the month of November 2012 to March 2023, by fixing his basic salary at Stage 17 under the head of Office Assistant (MP) as per Combined Fitment Chart annexed Circular No.PAD/30/2015-16 dated 29.08.2015 and disburse the difference amount to the petitioner at once as requested through petitioner's representation dated 26.04.2025.



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For Petitioner : Mr.P.Subbiah

For Respondents : Mr.N.Dilip Kumar
Standing Counsel

ORDER

This Writ Petition has been filed seeking a direction to the respondents to recalculate the petitioner's salary for the period from November 2012 to March 2023 by fixing his basic pay at Stage 17 under the category of 'Office Assistant (MP)', in accordance with the Combined Fitment Chart annexed to Circular No.PAD/30/2015-16 dated 29.08.2015 and to disburse the resultant differential amount to the petitioner in one lump sum, as requested in his representation dated 26.04.2025.

2. By consent, this Writ Petition is taken up for final disposal at the admission stage itself.

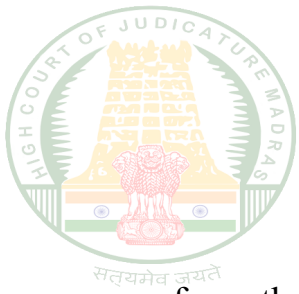
3. According to the petitioner, he was employed as an 'Office Assistant' in the respondent Bank and retired from service on 31.03.2023 upon superannuation. He was promoted to the post of Office Assistant (Multi-Purpose) on 01.04.2011. At the time of retirement, the Bank withheld a sum of Rs.85,061/- from his salary for the month of March 2023, allegedly towards recovery of



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excess salary paid due to a wrong pay fixation. Though the said amount was subsequently recovered by the second respondent, the petitioner submits that the basis of such recovery is arbitrary and unjustified.

4. The petitioner submits that the second respondent claimed to have issued a communication dated 04.03.2016 regarding the alleged wrong fitment along with a calculation sheet. However, no such calculation sheet detailing the deduction or revised eligibility was ever served on the petitioner. On examination of the Combined Fitment Chart issued under Circular No.PAD/30/2015-16 dated 29.08.2015, it is evident that the petitioner, who was drawing a basic salary of Rs.16,500/-, ought to have been placed at Stage 17 under the Office Assistant (MP) category, with effect from 01.11.2012, entitling him to a revised basic pay of Rs.26,965/-. Instead, the petitioner's basic pay was erroneously fixed at Rs.23,530/-, resulting in a substantial shortfall in monthly salary. For instance, in November 2012 alone, he was paid a net salary of Rs.31,395/- whereas, he was lawfully entitled to Rs.41,906/-, leading to a loss of Rs.10,511/- in that month itself. Despite his representation dated 26.04.2025, requesting correction of pay fixation and disbursal of the differential salary, no response has been received



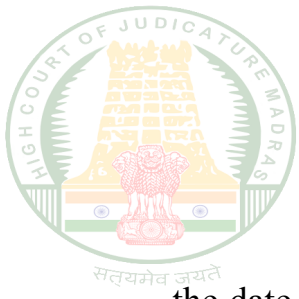
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from the respondents. Therefore, the petitioner is constrained to approach this Court seeking appropriate relief.

5. Heard both sides.

6. It is needless to point out that whenever a representation of this nature is made to a Statutory Authority, there is a duty cast upon him to consider the same on its own merits and pass appropriate orders in one way or other, instead of keeping the same pending indefinitely. As such, non-consideration of the representation by the Statutory Authority would amount to dereliction of duty and hence, this Court will be justified in invoking its extraordinary powers under Article 226 of the Constitution of the India and direct them to consider the same within a stipulated time.

7. In the light of the above observations, there shall be a direction to the first respondent herein to consider the petitioner's representation dated 26.04.2025, on its own merits and pass appropriate orders in accordance with law, after giving due opportunity to the petitioner, within a period of two months from



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the date of receipt of a copy of this order. It is also made clear that this Court has not expressed any of its views with regard to the merits of the matter and that it is open to the first respondent to consider the same on its own merits.

8. With the above directions, the Writ Petition stands disposed of. There shall be no order as to costs.

NCC : Yes / No
Index : Yes / No
smn2

17.07.2025

To:-

- 1.The Chairman,
Tamil Nadu Grama Bank,
Head Office,
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- 2.The Assistant General Manager,
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VIVEK KUMAR SINGH, J.

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