



WP(MD) No.25456 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 06.02.2025

CORAM:

THE HONOURABLE MR.JUSTICE SHAMIM AHMED

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K.Palani

Petitioner

Vs

1.The Additional Chief Secretary to Government,
O/o. the Additional Chief Secretary,
Municipal Administration,
Urban and Water Supply,
Secretariat,
Chennai 600 009.

2.The Commissioner,
O/o. the Commissioner,
Municipal Administration,
MRC Nagar Raja Annamalaipuram,
Chennai 600 005.

3.The Commissioner,
O/o. the Commissioner,
Keelakarai Municipality,
Keelakarai 623 517,
Ramanathapuram District.

Respondents

Prayer:- This Writ Petition has been filed under the Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondent No.1 to 3 to grant the Selection Grade Benefits to the petitioner



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from 31.12.2009 to 31.01.2015 along with all other benefits in light of the proceedings of the Respondent No.3 in Roc.No.267/2014/C1 dated 15.07.2019 along with the interest within the time stipulated by this Court.

For Petitioner : Ms.Rohini for
M/s.T.Lajapathi Roy Associates

For R1 & R2 : Mr.D.Sadiq Raja
Additional Government Pleader

For R3 : Mr.A.Kannan
Standing Counsel

ORDER

This Writ Petition has been filed with the following prayer:

“to issue a Writ of Mandamus, directing the respondent No.1 to 3 to grant the Selection Grade Benefits to the petitioner from 31.12.2009 to 31.01.2015 along with all other benefits in light of the proceedings of the Respondent No.3 in Roc.No.267/2014/C1 dated 15.07.2019 along with the interest within the time stipulated by this Court.”

2. Heard Ms.Rohini, learned counsel for the petitioner, Mr.D.Sadiq Raja, learned Additional Government Pleader for the respondents 1 and 2 and Mr.A.Kannan, learned Standing Counsel for the third respondent.



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3. Ms.Rohini, learned counsel appearing for the petitioner submits that the petitioner was appointed as Data Entry Operator at the Regional Director of Municipal Administration Office, Thanjavur on 30.12.1999 and in the year 2014, he was transferred to the third respondent Office. On 31.01.2015, on attaining the age of superannuation, the petitioner was retired from service. Thereafter, the third respondent, vide proceedings in ROC.No.267/2014/C1, dated 15.07.2019, awarded Selection Grade from 31.12.2009 to the petitioner. However, the respondents 1 and 2 had not disbursed the monetary benefits for the period between 31.12.2009 and 31.01.2015. Hence, on the basis of the proceedings, dated 15.07.2017, the petitioner had made several representations to the respondents 2 and 3 and the last representation was dated 20.10.2022, copy of which was found place at Page No.21 of the paper book.

4. The learned counsel for the petitioner further submits that in spite of more than two years have lapsed, the respondents are sitting tight over the matter and had not passed any positive order in favour of the petitioner. Thus, she submits that the respondents may be directed to consider the claim of the petitioner.



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5. Mr.D.Sadiq Raja, learned Additional Government Pleader for the respondents 1 and 2 submits that the petitioner may be directed to file a fresh representation before the second respondent along with his grievances as well as the claim and this Court may please to fix time to decide the same as no useful purpose will be served in keeping the present Writ Petition pending before this Court.

6. After considering the arguments as advanced by the learned Counsels for the parties, after perusal of the entire records and the pleadings made in the Writ Petition and after perusal of the representation dated 20.10.2022 made by the petitioner before the second respondent, copy of which was given to the first respondent, and also the request made by the learned Additional Government Pleader, this Court deem it appropriate that the petitioner may file a fresh representation before the second respondent with his grievances and claim within a period of three weeks from today and if any such representation is made before the second respondent within the stipulated time granted by this Court, the second respondent is directed to decide the same within two months thereafter by way of a reasoned and speaking order on merits and in accordance with law and communicate the



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order to the petitioner through Registered Post with AD (RPAD) within a period of two weeks thereafter.

7. With the aforesaid directions, the Writ Petition stands disposed of.

However, there shall be no order as to costs.

Index :Yes/No
Web :Yes/No
NCC :Yes/No

06.02.2025

Speaking/Non Speaking

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To

1.The Additional Chief Secretary to Government,
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2.The Commissioner,
O/o. the Commissioner,
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SHAMIM AHMED, J.

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