

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.07.2015

CORAM:

THE HONOURABLE MR. JUSTICE D.HARIPARANTHAMAN

Writ Petition No.19216 of 2015

P.Selvaraju

... Petitioner

vs.

- 1.The Director of Elementary Education,
College Road,
Chennai - 600 006.
- 2.The District Elementary Educational Officer,
Villupuram District,
Villupuram.
- 3.The Assistant Elementary Educational Officer,
Thiyagadurugam Panchayat Union,
Thiyagadurugam,
Villupuram District.

... Respondents

Petition filed under Article 226 of the Constitution of India for the issuance of writ of Mandamus directing the first respondent to dispose of the petitioner's representation dated 02.04.2014 which was given to the first respondent for rectification of the pay anomalies as per G.O.Ms.No.320, Finance (Pay Cell) Department dated 02.04.1990 in accordance with Rule 4(3) of the Tamil Nadu Revised Scales of Pay Rules 1989 as clarified in G.O.Ms.No.57, Finance (Pay Cell - II) Department dated 28.01.1991 and also in accordance with G.O.Ms.No.162, Finance (Pay Cell) Department dated 13.04.1998 and also seeking to step up the pay of the petitioner on par with his junior.

For Petitioner : Mr.A.S.Kaizer

For Respondents : Mr.S.Gunasekaran,
Government Advocate

O R D E R

Mr.S.Gunasekaran, learned Government Advocate, takes notice for the respondents.

2.The learned counsel for the petitioner submits that the petitioner's junior is paid more and in this regard, the petitioner made a representation dated 02.04.2014 to the first respondent. Hence, a direction may be issued to the first respondent to rectify the pay anomaly in the case of the petitioner by considering his representation dated 02.04.2014. The learned counsel relied on G.O.Ms.No.320, Finance (Pay Cell) Department dated 02.04.1990; G.O.Ms.No.57, Finance (Pay Cell - II) Department dated 28.01.1991 and G.O.Ms.No.162, Finance (Pay Cell) Department dated 13.04.1998.

3.As rightly contended by the learned counsel for the petitioner, if the petitioner's junior is paid more than the petitioner, then, the petitioner is entitled to step up his pay on par with his junior.

4.In these circumstances, the first respondent is directed to consider the representation of the petitioner dated 02.04.2014 in the light of the Government Orders referred to by the petitioner and pass orders on merits and in accordance with law, within a period of twelve weeks from the date of receipt of a copy of this order. No costs.

Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

jbm
To

- 1.The Director of Elementary Education,
College Road,
Chennai - 600 006.
- 2.The District Elementary Educational Officer,
Villupuram District,
Villupuram.
- 3.The Assistant Elementary Educational Officer,
Thiyagadurugam Panchayat Union,
Thiyagadurugam,
Villupuram District.

+1cc to Mr.A.S.Kaizer, Advocate, S.R.No.32734
+1cc to the Government Pleader, S.R.No.32981

W.P.No.19216 of 2015

SK(CO)
CA(13/07/2015)