

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.07.2015

CORAM:

THE HONOURABLE MR.JUSTICE D.HARIPARANTHAMAN

W.P.No.19446 of 2015

M.C.Ushashree

... Petitioner

-Versus-

- 1.The State of Tamil Nadu,
Rep. By its Secretary to Government,
School Education Department,
Secretariat,
Fort St. George,
Chennai 600 009.
- 2.The Director of School Education,
DIP Campus,
College Road,
Chennai 600 006.
- 3.The Director of Elementary Education,
DPI Campus,
College Road,
Chennai 600 006.
- 4.The Chief Educational Officer,
Krishnagiri District,
Krishnagiri.
- 5.The District Elementary Educational Officer,
Krishnagiri District,
Krishnagiri.

...Respondents

Writ Petition filed under Article 226 of the Constitution of India for the relief of issuance of Writ of Mandamus, directing the the respondents to consider the representation of the petitioner dated 07.04.2014 and to transfer her back to Elementary Educational Service to the post of Middle School Headmaster with consequential stepping up of pay to the stage equal to the pay applicable to the post of Selection Grade Primary School Headmaster with consequential benefits in the light of the orders passed in similar cases as per the proceedings of the 4th respondent in Na.Ka.No.1350/A3/2013 dated 01.06.2015.

For petitioner : Mr.G.Sankaran

For Respondents : Mrs.M.E.Rani Selvam, AGP

ORDER

The petitioner was appointed as a Secondary grade Teacher in Tamil Nadu Elementary Educational Subordinate Service on 08.07.1988. She was promoted as Primary School Headmaster in the year 2002. She was further promoted as Middle School Headmaster on 24.06.2006. While she was working as Middle School Headmaster at Andhivadi Panchayat Union, Hosur, Krishnagiri District, the said school was upgraded as High School. Hence, she was absorbed as B.T. Assistant with protection of pay scale of the Middle School Headmaster. According to her, the Selection Grade Primary School Headmasters, who are juniors to her, have been getting more scale than the ordinary grade scale of pay of Middle School Headmaster. Hence, she wanted to go back to the Tamil Nadu Educational Subordinate Services from the Tamil Nadu Elementary Educational Subordinate Service. The further case of the petitioner is that the 4th respondent by his proceedings permitted many of the similarly placed persons to go back to the Tamil Nadu Elementary Educational Subordinate Service. He has made a representation to the respondents in this regard. The only grievance of the petitioner is that his representation for transfer to his parent department with pay protection has not so far been considered. Hence, he has come forward with this writ petition.

2. The learned counsel for the petitioner, during the course of hearing of this writ petition, would, on instructions from the petitioner, submit that the petitioner would be satisfied if a direction is issued to the respondents to consider his representation respondents 1 to 4 within a time frame to be fixed by this court. The said statement is recorded.

3. The learned Additional Government Pleader would fairly submit that the petitioner's representation would be considered and appropriate orders would be passed within a time frame to be fixed by this court. The said statement is also recorded.

4. Considering the above submissions made on either side and also taking into account the fact that the petitioner's representation is pending with the respondents, the respondents are directed to consider the representation of the petitioner dated 07.04.2014 in the light of the aforesaid facts and, more particularly, in the light of the proceedings of the 4th respondents in Na.Ka.No.1350/A3/2013 dated 01.06.2015 and pass orders thereon 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

//True Copy//

Sub Assistant Registrar

To

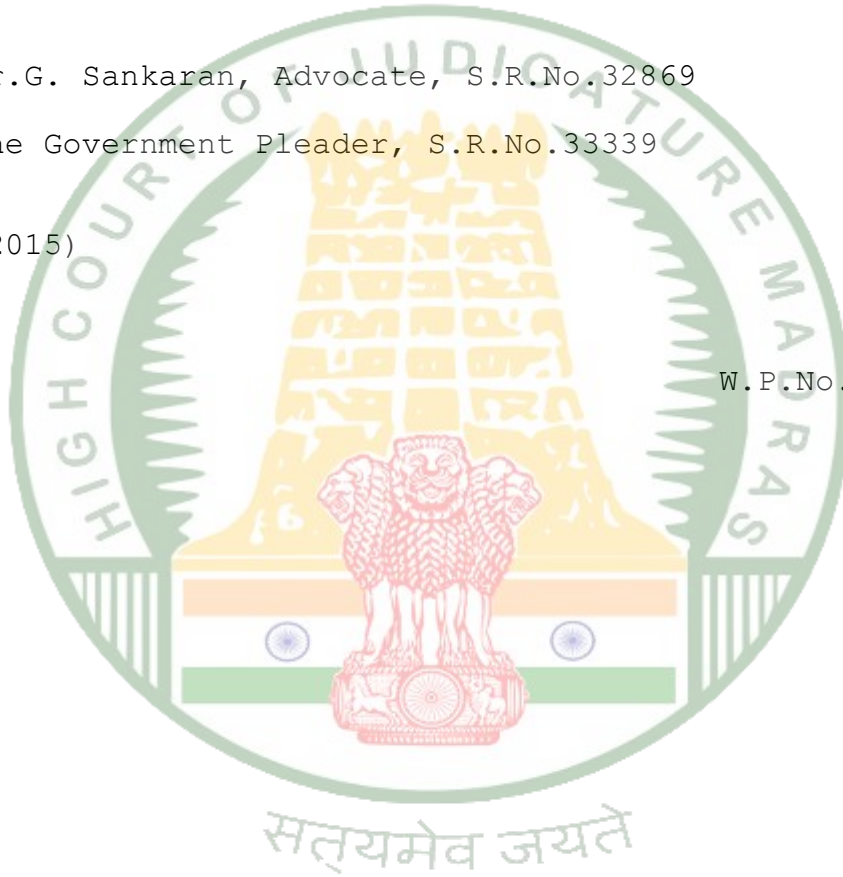
- 1.The Secretary to Government, School Education Department,
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- 2.The Director of School Education, DIP Campus, College Road,
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- 4.The Chief Educational Officer, Krishnagiri District, Krishnagiri.
- 5.The District Elementary Educational Officer, Krishnagiri
District, Krishnagiri.

+1cc to Mr.G. Sankaran, Advocate, S.R.No.32869

+1cc to the Government Pleader, S.R.No.33339

GGK(CO)
EU(10/08/2015)

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