

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.07.2015

CORAM:

THE HONOURABLE MR.JUSTICE D.HARIPARANTHAMAN

W.P.No.21670 of 2015

R.Natarajan

...Petitioner

-Versus-

1. The State of Tamil Nadu,
Rep. By its Secretary to Government,
Education Department,
Fort St. George,
Chennai 600 009.
2. The District Educational Officer,
Vellore,
Vellore District.
3. The Assistant Elementary Educational Officer,
Katpadi,
Vellore District.

...Respondents

Writ Petition filed under Article 226 of the Constitution of India for the relief of issuance of Writ of Mandamus directing the respondents to award Super Grade Pay to the petitioner in the cadre of Craft Instructor as per G.O.Ms.No.562, Finance (Pay Cell) Department, dated 28.09.1998 with effect from 27.02.001 with all consequential monetary benefits.

For petitioner : Mr.S.Mani

For respondents : Mr.M.E.Rani Selvam, AGP

ORDER

The petitioner joined as a Craft Instructor on 22.02.1971 in a Middle School which was under the Control of the respondents 2 and 3. He was awarded Selection Grade in the cadre of Craft Instructor w.e.f. 01.03.1981 and thereafter, he was awarded Special Grade w.e.f 01.03.1991. He retired from service on attaining the age of superannuation on 31.05.2003. Since he rendered more than 30

years of service in the same post without any promotion, according to the petitioner, he is entitled to Super Grade Pay as per G.O.Ms.No.562 Finance (pay Cell) Department, dated 28.08.1998. Accordingly, the 3rd respondent issued a proceeding in Na.Ka.No.31/A/2001 dated Nil-7-2001 awarding Super Grade pay to the petitioner, but, the same has not been given effect to. Therefore, he made a representation on 23.03.2015 to the respondents in this regard. But, there has been no response to the same. Hence, he has come forward with this writ petition.

2. Heard both sides.

3. Though a positive direction is sought for in the writ petition, during the course of hearing of this writ petition, the learned counsel for the petitioner, on instructions from the petitioner, submitted that the petitioner may be permitted to submit a representation afresh to the 2nd respondent in this regard and in that event, the 2nd respondent may be directed to consider the same in terms of the Government Order referred to above and pass orders thereon on merits and in accordance with law within a stipulated period.

4. Considering the above submission made by the learned counsel for the petitioner and the facts and circumstances of the case, without going into the merits of the case, this court permits the petitioner to make a fresh representation to the 2nd respondents within a period of two weeks from the date of receipt of a copy of this order and if any such representation is received the 2nd respondent shall consider the same in the light of G.O.Ms.No.562, Finance (Pay Cell) Department, dated 28.09.1998 and the recommendation made by the Addl. Assistant Elementary Educational Officer, Katpadi, Vellore in Na.Ka.No.31/A/2001 dated Nil-07-2001 and pass orders thereon on merits and in accordance with law within a period of eight weeks thereafter. This writ petition is, accordingly, disposed of. No costs.

Sd/-

Assistant Registrar(CS-IV)

//True Copy//

Sub Assistant Registrar

kmk

To

1.The Secretary to Government,
Education Department,
Fort St. George, Chennai 600 009.

2.The District Educational Officer,
Vellore, Vellore District.

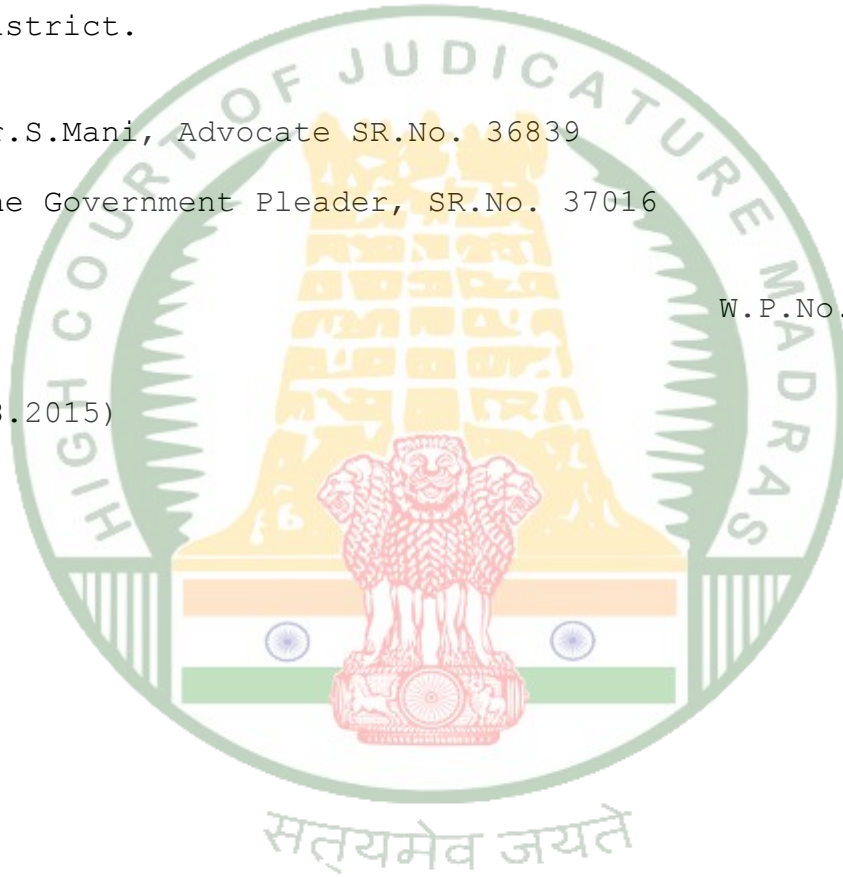
3.The Assistant Elementary Educational Officer,
Katpadi,
Vellore District.

1 CC to Mr.S.Mani, Advocate SR.No. 36839

1 CC to the Government Pleader, SR.No. 37016

W.P.No.21670 of 2015

TM (CO)
PSI (13.08.2015)



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