

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATE: 06.08.2015

CORAM

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

W.P.No.24044/2015

R.Muthusamy

... Petitioner

Versus

- 1.The Secretary
Government of Tamilnadu
Education Department, Secretariat,
Fort St George, Chennai 600009.
- 2.The Secretary to Government
Finance Department, Secretariat
Fort St George, Chennai 600009.
- 3.The Director of Elementary Education
Department of Public Instruction [DPI]
College Road, Nungambakkam
Chennai 600006.
- 4.The Additional Assistant Elementary
Educational Officer, Thiruvidadaimaruthur
Thanjavur.

.. Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, seeking for a writ of mandamus directing the respondents to consider and pass order on the petitioner representation dated 07.05.2015 to award special grade middle school Headmaster Pay scale for the petitioner w.e.f. 01.06.1988 in the light of G.O.Ms.No.304 Finance [Pay Commission] Department dated 28.03.1990 and G.O.Ms.No.215 Finance [Pay Cell] Department dated 22.03.1993 within the time limit to be fixed by this Court.

For Petitioner : Mr.M.Vijayakumar

For Respondents : Mr.R.Vijayakumar, AGP

O R D E R

By consent, the writ petition is taken up for final disposal.

2.The petitioner is aged 75 years and he is a retired secondary grade teacher and was employed at a Government Aided Elementary School, viz., Thiruvidadaimaruthur Adhinam Ambalavana Desigar Middle School. The petitioner would state that he joined the service on 04.11.1963 and was awarded Selection Grade pay on

12.09.1975 and further awarded Special Grade pay on 12.09.1985 and he had put in 34 years of service. The petitioner sent a detailed representation seeking the benefits for revision of pay scale of services by counting the selection grade and special grade of the lower post as if it is the selection grade and special grade of service in the promoted post, by placing reliance on G.O.Ms.No.304, Finance [pay Commission] Department dated 28.03.1990 ; G.O.Ms.No.215 Finance [Pay Cell] Department dated 22.03.1993, G.O.Ms.No.241, Finance [Pay Commission] Department dated 01.04.1981 and G.O.Ms.No.162 Finance [Pay Commission] Department dated 13.04.1998 and also followed by a detailed reminder dated 07.05.2015 and since no response is forthcoming, he came forward to file this writ petition.

3.Heard the learned counsel for the petitioner and Mr.R.Vijayakumar, learned Additional Government Pleader, who accepts notice on behalf of the respondents.

4.Though the petitioner has prayed for a larger relief, this Court in the light of the above facts and circumstances and without going into the merits of the claim projected by the petitioner, permits the petitioner to submit a representation to the 1st respondent enclosing a copy of this order as well as the copy of the representation dated 07.05.2015 addressed to the 4th respondent, within a period of two weeks from the date of receipt of a copy of this order and on receipt of the same, the 1st respondent is directed to consider and dispose of the same on merits and in accordance with law and pass orders within a period of six weeks thereafter and communicate the decision taken, to the petitioner.

5.The writ petition is disposed of accordingly. No costs.

Sd/-
Assistant Registrar

True Copy सत्यमेव जयते
Sub Assistant Registrar

AP

To

1.The Secretary
Government of Tamilnadu
Education Department, Secretariat,
Fort St George, Chennai 600009.

2.The Secretary to Government
Finance Department, Secretariat
Fort St George, Chennai 600009.

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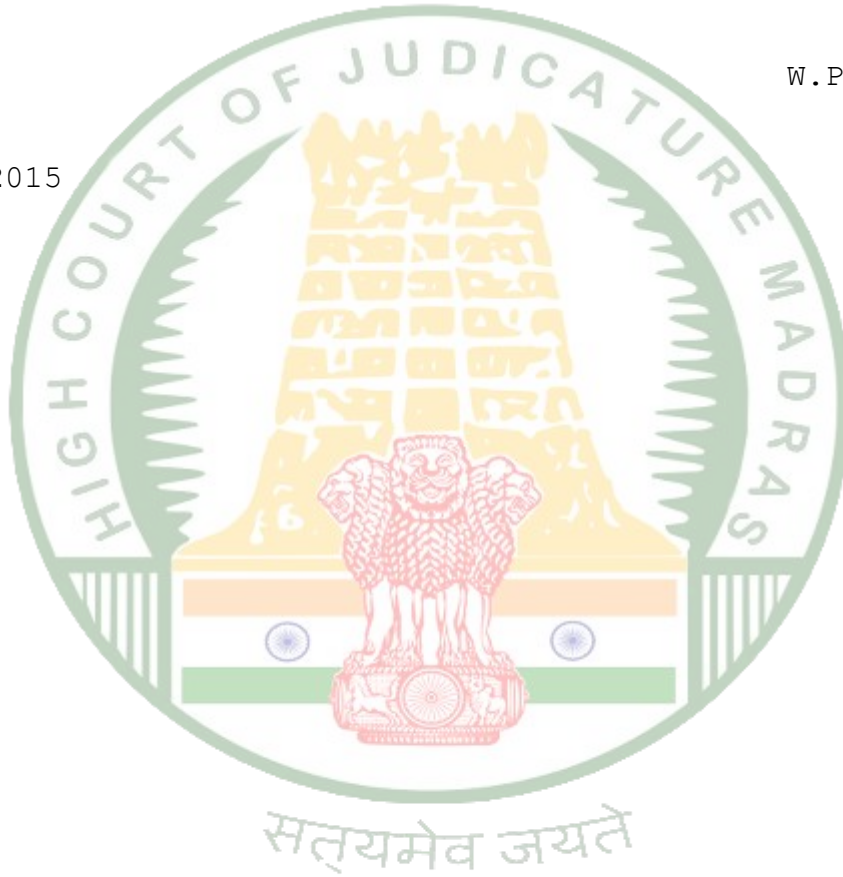
3.The Director of Elementary Education
Department of Public Instruction [DPI]
College Road, Nungambakkam
Chennai 600006.

4.The Additional Assistant Elementary
Educational Officer, Thiruvudaimaruthur
Thanjavur.

1 cc to Mr.M.Vijayakumar , Advocate Sr.No.40642
1 cc to Government Pleader.Sr.No.40938

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skv(co)
pmk.21.8.2015



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