

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 31.8.2015

CORAM

THE HONOURABLE MR. JUSTICE M.SATHYANARAYANAN

W.P.No.27133 of 2015

K.S.Selvaraju

...Petitioner

-Vs-

- 1 The Accountant General (A&E)
Teynampet Chennai - 600 018.
- 2 The District Elementary
Educational Officer
Nagapattinam District.
- 3 The Assistant Elementary Educational Officer
Kollidam Union
Nagapattinam District.

...Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus directing the 1st respondent to Consider the Petitioners representation dated 20.07.2015 for the grant of Selection and Special Grade scale of pay on par with the Primary School Headmaster and pay all the duty pay arrears in light of G.O.Ms.No. 207 School Education (G2) Department dated 30.09.2008.

For Petitioner : Mr.R.Sreedharan

For R1 : Mr.V.Vijayashankar

For R2 & R3 : Mr.N.Srinivasan AGP

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O R D E R

By consent, this Writ Petition is taken up for final disposal.

2. The petitioner was initially appointed as Secondary Grade Teacher in the services of P.U.P. School, Arapakkam, Nagapattinam District on 15.09.1975 and subsequently, he was conferred with selection grade and special grade on 15.09.1985 and 15.09.1995 respectively. Thereafter, the petitioner got promotion as Primary School Headmaster on 16.06.1997 and he retired on superannuation on 31.05.2010. The petitioner would state that prior to 01.06.1988, the post of Secondary Grade and Primary School Headmaster were in the same scale of pay and interms of the recommendations of V pay commission, in G.O.666, Finance Department dated 27.06.1989, high scale of pay was fixed to the the Primary School Headmaster and the same became the promotional post with effect from 01.06.1988. Based on which, revised scale of pay came into effect. The Government subsequently, issued orders in G.O.Ms.No.1380, Education Department, dated 05.10.1990 stating that the Secondary Grade Teachers, who were holding the post of Primary School Headmaster as on 01.06.1998 are also entitled for selection and special grade scale of pay of Primary School Headmaster by counting their services rendered as Secondary Grade Teachers and in respect of similar circumstances in W.P.No.8079 of 2006 vide order dated 28.4.2006, this Court has granted relief. It was also implemented by passing G.O.Ms.No.207, School Education Department, dated 30.09.2008. The petitioner in this regard has submitted his representation dated 20.07.2015. Though it was received and acknowledged, no orders have been passed and hence, came forward to file this writ petition.

3. Heard the submissions of the learned counsel appearing for the petitioner and Mr.V.VijayaShankar, who accepts notice on behalf of first respondent and Mr.N.Srinivasan, AGP, who accepts notice on behalf of respondents 2 and 3.

4. This Court, taking into consideration the limited scope of prayer sought for by the petitioner, directs the first respondent to consider and dispose of the petitioners' representation dated 20.07.2015, after taking note of G.O.Ms.No.207, School Education Department, dated 30.09.2008 and pass orders in accordance with law within a period of 10 weeks from the date of receipt of a copy of this order and communicate the decision taken, to the petitioner.

5. This Writ Petition is disposed of accordingly. No costs.

Sd/-
Assistant Registrar (CS-III)

//True Copy//

Sub Assistant Registrar

kua

To

- 1 The Accountant General (A&E)
Teynampet
Chennai - 600 018.
- 2 The District Elementary Educational Officer
Nagapattinam District.
- 3 The Assistant Elementary Educational Officer
Kollidam Union
Nagapattinam District.

1 CC to Mr.R.Sreedharan, Advocate SR.No. 46410

1 CC to the Government Pleader, SR.No. 46849

VSN (CO)
PSI (22.09.2015)

W.P.No.27133 of 2015

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