

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATE: 23.09.2015

CORAM

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

W.P.No.29861/2015

A.Jeeva

.. Petitioner

Vs

1. The Joint Director [Personnel]
School Education, Directorate of
School Education, DPI compound
College Road, Chennai 600 006.
2. The Chief Educational Officer
Salem-1.
3. The Headmaster,
Government High School
Kondappanaickenpatty Post
Salem-8.

.. Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, seeking for a writ of mandamus directing the 1st respondent herein to step up the pay scale of the petitioner to that of P.Jayalakshmi with effect from 06.08.2010 at Rs.18690/- as per the recommendation of the 2nd respondent in Na.Ka.No.1013/A4/2013 nil 06/2013 and the queries raised by the first respondent dated 16.08.2013 by fixing a time frame for the petitioner to appear before the 1st respondent and to produce the documents sought for under the proceeding dated 16.08.2013.

For Petitioner : M/s.Dakshayani Reddy
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 would state that one Tmt. P.Jayalakshmi was appointed to the post of B.T. Assistant with effect from 06.08.2010 after the petitioner's appointment and therefore, she is junior to the petitioner by one year and however, the pay scale of Jayalakshmi was fixed at Rs.16,390/- and it was revised with effect from 06.08.2010 and she was drawing Rs.18,690/- with effect from 06.08.2010 and however, the petitioner was drawing salary of Rs.17,780/- only and pointing out the said anomaly, the petitioner has submitted representation to the authorities concerned, which was forwarded to the 2nd respondent, who had also made a positive recommendation to the 1st respondent, vide letter dated 28.06.2013 and however, the office of the 1st respondent has returned the proposal pointing out certain defects to the office of the 2nd respondent, who, in turn, communicated the same to the petitioner.

3 Learned counsel for the petitioner would submit that the petitioner may be granted some time to comply with the defects and submit the same to the 2nd respondent, who in turn, may be directed to forward the same to the 1st respondent for passing appropriate orders.

4 Heard the submissions of Mr.R.Vijayakumar, learned Additional Government Pleader, who accepts notice on behalf of the respondents 1 to 3.

5 Though the petitioner has sought for a larger relief, this Court, in the light of the above facts and circumstances and without going into the merits of the same, permits the petitioner to comply with the defects / returns pointed out by the office of the 1st respondent and re-submit the same to the 2nd respondent within a period of four weeks from the date of receipt of a copy of this order and the 2nd respondent, on receipt of the same, shall, in turn, forward the same to the office of the 1st respondent within a further period of two weeks thereafter and the 1st respondent, on receipt of the same, is directed to consider the said proposal on merits and in accordance with law within a further period of six weeks thereafter and communicate the decision taken to the petitioner.

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

-Sd/-
Assistant Registrar

//True copy//

Sub Assistant Registrar

AP

To

1. The Joint Director [Personnel]
School Education, Directorate of
School Education, DPI compound
College Road, Chennai 600 006.

2. The Chief Educational Officer
Salem-1.

3. The Headmaster,
Government High School
Kondappanaickenpatty Post
Salem-8.

+1 cc to Government Pleader (sr.52148)

+1 cc to M/s.Dakshayani Reddy, Advocate, sr.29861 (14/10/2015)

SV(co)
cp 07/10/2015

W.P.No.29861/2015

सत्यमेव जयते

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