

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28.09.2015

CORAM

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

W.P.No.30406/2015 & MP.No.1/2015

K.Varadhammal

Vs

.. Petitioner

1. The Director of Secondary Education,
DPI Complex,
Chennai-600 006.
2. The Chief Educational Officer,
Salem.
3. The Headmaster,
Government High School,
Ramanaickenpalayam Post,
Attur Taluk,
Salem District-636 108.

..Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, seeking for a writ of mandamus directing the respondents to sanction annual yearly increment from 01.10.2012 onwards and pay salary for surrender leave.

For Petitioner : Mr.R.Govindaraj
For Respondents : Mr.V.Subbiah, Spl.GP

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O R D E R

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

2 The petitioner would state that she has studied B.Lit., [Tamil] in the year 1995 and obtained B.Ed., degree in the year 1997 and passed M.A. [Tamil] in the year 2000 and she was recruited by the Teachers Recruitment Board during the academic year 2006-2007 and an order of appointment was also issued by the Joint Director of School Education [Personnel], vide proceedings

dated 26.09.2007 and she has joined the Government High School, Ramanaickenpalayam, Salem District, on 01.10.2007 and working as B.T.Assistant Teacher [Tamil] till date. The grievance expressed by the petitioner is that though she was given all the service benefits including annual increments from the date of joining, i.e., from 01.10.2007 to 01.10.2012, thereafter she has not been conferred with any benefit allegedly on the ground that she has not studied 10+2 before completing her degree and in this regard, she has submitted a representation dated 27.07.2015 to the 2nd respondent and since no orders have been passed, she came forward to file this writ petition.

3 Mr.R.Govindraj, learned counsel for the petitioner would submit that the petitioner, after passing 10th standard, has undergone foundation course and after successfully completing the foundation course only, she has joined B.Lit [Tamil] and passed the same, thereafter obtained the further qualification. It is further submitted that in the light of the same, there cannot be any impediment on the part of the respondents 1 and 2 to confer her with all service and consequential benefits from 01.10.2012 and prays for appropriate orders.

4 Heard Mr. V.Subbiah, learned Special Government Pleader who accepts notice on behalf of the respondents.

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, directs the 2nd respondent to consider and dispose of the petitioner's appeal petition dated 27.07.2015 on merits and in accordance with law and pass orders within a period of eight weeks from the date of receipt of a copy of this order and communicate the decision taken to the petitioner.

6 The writ petition is disposed of accordingly. No costs. Consequently, connected miscellaneous petition is closed.

-Sd/-
Assistant Registrar

//True copy//

Sub Assistant Registrar

AP

To

1.The Director of Secondary Education,
DPI Complex,
Chennai-600 006.

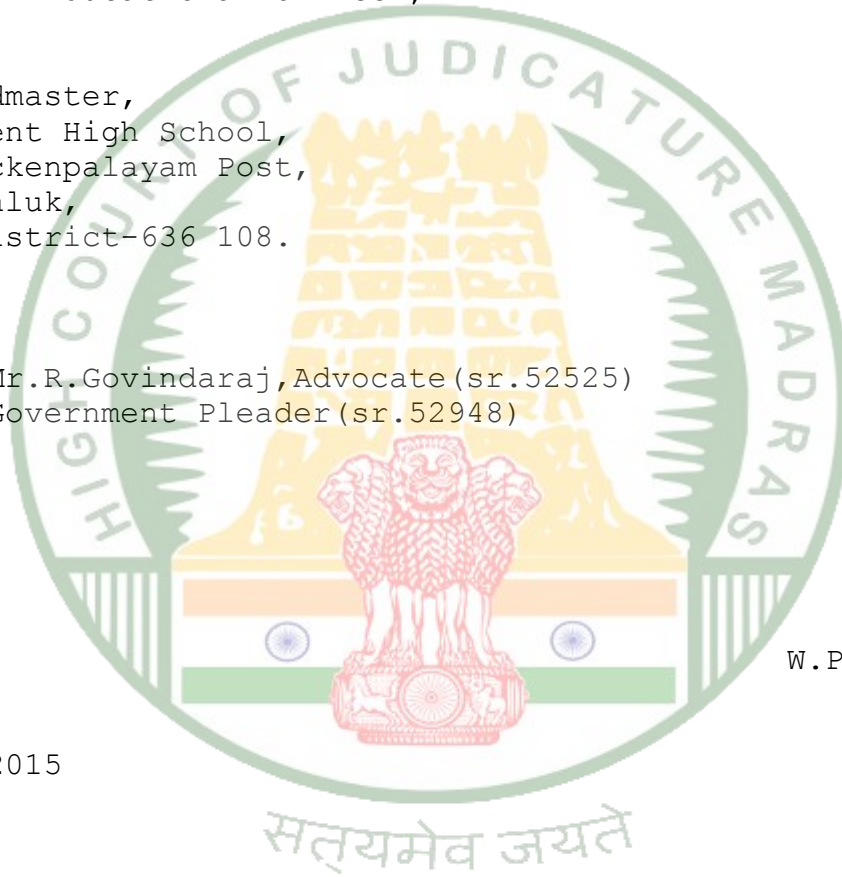
2.The Chief Educational Officer,
Salem.

3.The Headmaster,
Government High School,
Ramanaickenpalayam Post,
Attur Taluk,
Salem District-636 108.

+1 cc to Mr.R.Govindaraj, Advocate (sr.52525)
+1 cc to Government Pleader (sr.52948)

TM(co)
cp 12/10/2015

W.P.No.30406/2015



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