

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATE: 30.9.2015.

CORAM

THE HON'BLE MR.JUSTICE M.SATHYANARAYANAN

W.P.No.30815 of 2015

D.Ravi

Petitioner

vs.

1 The Director of School Education
College Road Chennai-600 006.

2 The Chief Educational Officer
Dharmapuri District
Dharmapuri-636 705.

Respondents

Writ Petition filed under Article 226 of the Constitution of India seeking issuance of a writ of mandamus directing the respondents to consider the representation of the petitioner dated 28-07-2015 for extending the benefit of payment of Special Allowance in the cadre of B.T. Assistant and to pass orders thereon on merits within a time limit that may be specified by this Honourable Court.

For Petitioner : Mr.K.B.Vivekanandhan

For Respondents : Mr.R.Vijayakumar, AGP

ORDER

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

2. The petitioner was appointed as a Junior Grade Secondary Grade Teacher on 21.12.2005 and on 1.6.2006, he was promoted as regular Secondary Grade Teacher and further promoted as B.T. Assistant vide proceedings of District Educational Officer, Dharmapuri dated 20.5.2010 and he joined in the said post on 2.8.2010 and presently, he is working in Panchayat Union Middle School, Rajakollahalli, Nallampalli Panchayat Union, Dharmapuri District. The petitioner would further state that as per G.O.Ms.No.270 Finance Department dated 26.8.2010, the Government examined the recommendations made by the One Man Commission for grant of Special Allowance of Rs.500/- to the Secondary Grade Teacher and Headmaster of High Schools and several Teaching Associations had represented to the Government to confer such Special Allowance not only to the Secondary Grade cadre but also to other teaching staff. The Government had considered the same and issued G.O.Ms.No.23, Finance

Department dated 12.1.2011 in and by which, the Special Allowance of Rs.500/- was enhanced to Rs.750/- and the benefit of the same has been extended not only to Secondary Grade cadre post but also to all other teaching staff such as B.T. Assistant, Headmaster of Elementary School, etc., with a cut off date as 1.1.2011.

3. The grievance expressed by the petitioner is that though he is entitled to the benefit of the Special Allowance in terms of the above said G.O., he was not paid the same and in this regard, he had submitted a representation dated 28.7.2015 to the respondents and since no order has been passed, he has come forward to file the present writ petition.

4. Heard the submissions of Mr.K.B.Vivekanandhan, learned counsel appearing for the petitioner and Mr.R.Vijayakumar, learned Additional Government Pleader who accepts notice for the respondents.

5. Considering the limited scope of relief sought for, without going into the merits, this court directs the respondents to consider the petitioner's representation dated 28.7.2015 on merits and in accordance with law and pass orders within a period of six weeks from the date of receipt of copy of this order and communicate the decision to the writ petitioner.

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

Sd/-
Asst.Registrar (CS IV)

/true copy/

Sub Asst. Registrar

ssk.

To

1 The Director of School Education
College Road Chennai-600 006.

2 The Chief Educational Officer
Dharmapuri District
Dharmapuri-636 705.

+1 cc to Mr.K.B.Vivekanandhan, Advocate, sr.53010

+1 cc to Government Pleader, sr.53418

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gk co,
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